

1 **RESOLUTION NO. 8211**

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3 A RESOLUTION introduced by Councilmember Karen Hiller granting Downtown
4 Topeka, Inc. an exception to the provisions of City of Topeka
5 Code Section 54-148 concerning noise prohibitions.
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7 WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for
8 any person to make, continue or cause to made or continued any loud,
9 unnecessary or unusual noise or any noise which either annoys, disturbs, injures
10 or endangers the comfort, repose, health or safety or others within the limits of
11 the city; and

12 WHEREAS, City of Topeka Code Section 54-148 authorizes the City
13 Council to grant exceptions to the prohibitions of this code section upon request
14 and a showing that the proposed activity does not offend the spirit of the findings
15 of City of Topeka Code Section 54-146, and

16 WHEREAS, Downtown Topeka, Inc. has requested that they be granted
17 an exception to the provisions of City of Topeka Code Section 54-148 for the
18 purposes, dates and times described herein, and

19 WHEREAS, upon review of the application of Downtown Topeka, Inc., the
20 Council of the City of Topeka does hereby find that the requested activity does
21 not offend the spirit of the findings of City of Topeka Code Section 54-146.

22 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
23 Topeka that Downtown Topeka, Inc. is hereby granted an exception from the
24 provisions of City of Topeka Code Section 54-148 during the Halloween Costume

25 Contest on October 31, 2009 located at 9th Street and Kansas Avenue from 9:30
26 p.m. until 11:30 p.m.

27 ADOPTED and APPROVED by the City Council October 27, 2009.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk