

**RESOLUTION NO. 8227**

A RESOLUTION introduced by Councilmember Deborah Swank, granting Ryan Johnson an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

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

WHEREAS, Ryan Johnson has requested that he be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Ryan Johnson, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Ryan Johnson is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a live band during a New Year's Eve

25 celebration located at 1186 SW Garfield Avenue from 9:00 p.m. to 12:00  
26 midnight on December 31, 2009.

27 ADOPTED and APPROVED by the City Council December 15, 2009.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk