

1 **RESOLUTION NO. 8260**

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3 A RESOLUTION introduced by Councilmember John Alcala granting Fiesta Mexicana
4 an exception to the provisions of City of Topeka Code Section
5 9.45.150, *et seq.* concerning noise prohibitions during its parade and
6 street party scheduled for July 9, 2010.
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8 WHEREAS, City of Topeka Code Section 9.45.150, *et seq.* makes it unlawful for
9 any person to make, continue or cause to made or continued any loud, unnecessary or
10 unusual noise or any noise which either annoys, disturbs, injures or endangers the
11 comfort, repose, health or safety or others within the limits of the city; and

12 WHEREAS, City of Topeka Code Section 9.45.170 authorizes the City Council to
13 grant exceptions to the prohibitions of this code section upon request and a showing
14 that the proposed activity does not offend the spirit of the findings of City of Topeka
15 Code Section 9.45.150, *et seq.*; and

16 WHEREAS, Fiesta Mexicana has requested that it be granted an exception to
17 the provisions of City of Topeka Code Section 9.45.150, *et seq.* for the purposes, dates
18 and times described herein; and

19 WHEREAS, upon review of the application of Fiesta Mexicana, the Council of the
20 City of Topeka does hereby find that the requested activity does not offend the spirit of
21 the findings of City of Topeka Code Section 9.45.150, *et seq.*

22 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka
23 that Fiesta Mexicana is hereby granted an exception from the provisions of City of
24 Topeka Code Section 9.45.150, *et seq.* while celebrating and sharing Mexican culture
25 with a parade and street party on SE Quincy Street between 7th and 8th Streets during
26 the hours of 5:00 p.m. and 11:59 p.m. on July 9, 2010.

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ADOPTED and APPROVED by the City Council June 15, 2010.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk