

RESOLUTION NO. 8261

A RESOLUTION introduced by Councilmember John Alcala granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 9.45.150, *et seq.* concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 9.45.150, *et seq.* 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 9.45.170 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 9.45.150, *et seq.*; and

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

WHEREAS, upon review of the application of Fiesta Mexicana, 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 9.45.150, *et seq.*

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Fiesta Mexicana is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, *et seq.* while celebrating and sharing Mexican culture with authentic Mexican food, Grammy award-winning Latino entertainment, traditional dance, carnival rides, and crafts at Our Lady of Guadalupe Church Grounds, 210 NE

26 Branner, during the hours of 4:00 p.m. and 11:59 p.m. from July 13, 2010 through July
27 17, 2010.

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

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CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

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ATTEST:

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Brenda Younger, City Clerk