

**RESOLUTION NO. 8284**

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting Chic-A-Dee Café 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 be 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, et seq. 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, Chic-A-Dee Café 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 Chic-A-Dee Café, 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 Chic-A-Dee Café is hereby granted an exception from the provisions

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25 of City of Topeka Code Section 9.45.150, et seq. for a live band at an  
26 anniversary celebration located at 3036 SE 6<sup>th</sup> Street during the hours of 7:00  
27 p.m. and 10:00 p.m. on October 2, 2010.

28 The event will be held in the parking lot of the business.

29 ADOPTED and APPROVED by the City Council August 31, 2010.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk

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