

**RESOLUTION NO. 8332**

A RESOLUTION introduced by Councilmember Karen Hiller granting The Office and Celtic Fox 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, The Office and Celtic Fox has requested that they 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 The Office and Celtic Fox 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 The Office and Celtic Fox Inc is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for their

26 Downtown Summer Jam located at 8<sup>th</sup> Avenue and Jackson Street during the  
27 hours of 5:00 p.m. and 11:59 p.m. on July 8, 2011 and between 12:00 p.m. and  
28 11:59 p.m. on July 9, 2011. If the event is not held on July 8 or July 9, 2011  
29 because of inclement weather and is rescheduled to August 5 and 6, 2011, the  
30 Council grants the exception for such dates during specified hours.

31 APPROVE and ADOPTED by the City Council May 17, 2011.

32 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

36 ATTEST:

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Brenda Younger, City Clerk