

1 **RESOLUTION NO. 8349**

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

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

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

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

23 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
24 Topeka that Fiesta Mexicana is hereby granted an exception from the provisions

25 of City of Topeka Code Section 9.45.150, *et seq.* while celebrating and sharing  
26 Mexican culture with authentic Mexican food, Grammy award-winning Latino  
27 entertainment, traditional dance, carnival rides, and crafts at Our Lady of  
28 Guadalupe Church Grounds, 210 NE Branner, during the hours of 4:00 p.m. and  
29 11:59 p.m. from July 12, 2011 through July 16, 2011.

30 ADOPTED and APPROVED by the City Council June 28, 2011.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk