

**RESOLUTION NO. 8380**

A RESOLUTION introduced by Councilmember John Alcala granting HF Rubber Machinery, Inc 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, HF Rubber Machinery, Inc 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 HF Rubber Machinery, Inc, 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 HF Rubber Machinery, Inc is hereby granted an exception from the

25 provisions of City of Topeka Code Section 9.45.150, et seq. for a live band and  
26 amplified music and sound during its Outdoor BBQ event located at 1701 N.  
27 Topeka Boulevard during the hours of 6:30p.m. and 11:59p.m. on September 20,  
28 2011.

29 ADOPTED and APPROVED by the City Council September 13, 2011.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk