

1 RESOLUTION NO. 9147

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3 A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting Agustin  
4 Munoz an exception to the provisions of City of Topeka Code  
5 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 be 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, Agustin Munoz has requested that he 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 Abigail's Grill and Bar, 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 Governing Body of the  
24 City of Topeka that Agustin Munoz is hereby granted an exception from the  
25 provisions of City of Topeka Code Section 9.45.150, et seq. for a private

26 celebration located at 2400 SE 4<sup>th</sup> Street, during the hours of 6:00 p.m. and  
27 11:59 p.m. on October 5, 2019.

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29 ADOPTED and APPROVED by the Governing Body September 17, 2019.  
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CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

36 ATTEST:

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Brenda Younger, City Clerk