

1 **RESOLUTION NO. 9477**

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

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

17 WHEREAS, Brass Rail Tavern has requested that it be granted an
18 exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for
19 the purposes, dates and times described herein, and

20 WHEREAS, upon review of the application of Brass Rail Tavern the
21 Governing Body of the City of Topeka does hereby find that the requested
22 activity does not offend the spirit of the findings of City of Topeka Code Section
23 9.45.150, et seq.

24 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the
25 City of Topeka that Brass Rail Tavern is hereby granted an exception from the
26 provisions of City of Topeka Code Section 9.45.150, et seq. for live bands and

27 music located at 401 NE Emmett Street during the hours of 6:00 p.m. and
28 midnight on October 7, 2023.

29 ADOPTED and APPROVED by the Governing Body October 3, 2023.

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CITY OF TOPEKA, KANSAS

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ATTEST:

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Michael A. Padilla, Mayor

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Brenda Younger, City Clerk