

1 RESOLUTION NO.
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3 A RESOLUTION introduced by Councilmember Sandra Clear, granting Brass
4 Rail Tavern 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 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, Brass Rail Tavern 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 Brass Rail Tavern, 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 Brass Rail Tavern is hereby granted an exception from the
25 provisions of City of Topeka Code Section 9.45.150, et seq. for a live band

26 located on the patio at 401 NE Emmett Street during the hours of 7:00 p.m. and
27 11:00 p.m. on August 29, 2015.

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29 ADOPTED and APPROVED by the Governing Body _____.
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31 CITY OF TOPEKA, KANSAS

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Larry E. Wolgast, Mayor

36 ATTEST:

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Brenda Younger, City Clerk