

**RESOLUTION NO. 9658**

A RESOLUTION introduced by Councilmember Karen Hiller granting Everygy Plaza 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 Governing Body 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, Everygy Plaza has requested that they 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 the Nighttime Food Truck Festival, the Governing Body of the City of Topeka does hereby find that the 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 Governing Body of the City of Topeka Everygy Plaza is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for their Nighttime Food Truck Festival located at 630 S. Kansas Ave between

26 the hours of 5:00 p.m. and 10:00 p.m. on May 17, 2025.

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28 ADOPTED and APPROVED by the Governing Body May 13, 2025.

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30 CITY OF TOPEKA, KANSAS

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34 Michael A. Padilla, Mayor

35 ATTEST:

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39 Brenda Younger, City Clerk

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