



# Buskers Permit Application

Date \_\_\_\_\_

## Permit Information

Are you renewing a permit or applying for a new permit?  New Permit  Renewal

Performance Description \_\_\_\_\_

## Applicant Information (Print)

Name: \_\_\_\_\_

Group Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email Address: \_\_\_\_\_

## Applicant Certification

1. The undersigned is aware of and understands the jurisdiction's requirements and codes. Thus, issuance of a permit is contingent upon compliance with all of the jurisdiction's requirements.
2. The undersigned swears or affirms that he/she has completed and/or reviewed all information in this application and that all information contained herein is true and accurate.
3. The undersigned further acknowledges that giving false information in this application constitutes cause for denial and revocation of the application.
4. The undersigned acknowledges the duty and agrees to update and correct this information as it changes.
5. The undersigned understands and authorizes the jurisdiction and its agents to utilize the information on this application to ensure that all other federal, state, and local laws are complied with.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Guardian: \_\_\_\_\_  
(If applicant is a minor)

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

### For Office Use Only:

Date issued: \_\_\_\_\_ Permit #: \_\_\_\_\_ Issued by: \_\_\_\_\_

## Article H – Buskers (Street Performers)

### Sec. 7-4-120 Definitions.

“*Busker*” is a person who performs in public areas; accepts donations from the public; and has obtained a permit pursuant to this ordinance.

“*Perform*” includes, but is not limited to, the following activities: acting, singing, playing musical instruments, pantomime, juggling, magic, dancing, reading, puppetry, sidewalk art (working with non-permanent, water-soluble media, i.e., chalk, pastels, or watercolors directly on the pavement), and reciting. Perform shall not include the production of or the offer of items for sale at the location of the performance, but buskers may offer items in exchange for donations.

“*Public areas*” means public sidewalks and parks.

### Sec. 7-4-121 Prohibition.

It shall be unlawful for any person to give any kind of performance or entertainment without first obtaining a permit from the City of Conway Business License Office.

### Sec. 7-4-122 Permit.

- (a) A permit shall be issued by the City of Conway Business License Office in exchange for a completed application and a fee of \$15.00. Said fee may be amended from time to time by ordinance.
- (b) A completed application for a permit, and the permit itself, shall contain the applicant's name, residence address and telephone number and shall be signed by the applicant.
- (c) A permit shall be valid for a period of one year beginning with the date on which it is issued.
- (d) A permit shall be nontransferable and shall contain the permit number of the applicant and the date on which the permit is issued. One permit may be issued for a group performance up to a maximum of three group members. Larger groups may require a special permit.
- (e) No permit shall be issued to any person who has had a permit suspended or revoked within the last twelve months prior to the current application for a permit.
- (f) Upon issuing a permit, the City of Conway shall also give the performer a copy of the rules and regulations for itinerant performers and a copy of this section.

### Sec. 7-4-123 Program Requirements.

- (a) Performances may take place at the following locations (see map): Kingston Park, the vacant City property at the corner of Laurel and 2<sup>nd</sup> Avenue (former Police Department site), the Garden Walk between Scarborough Alley and 3<sup>rd</sup> Avenue, the large section of the Riverwalk in front of the Lower River Warehouse, the stage at Riverfront Park, and the Robert Mills Garden.
- (b) A busker shall clearly display his City issued permit while performing and shall allow inspection of the permit by any City of Conway police officer.
- (c) Buskers shall not block roadways, sidewalks, crosswalks, driveways, stairways, curb cuts, or handicapped access ramps nor block access to buildings, parks, public, conveyances, businesses, crosswalks, traffic control poles containing pedestrian crosswalk button(s), or be within twenty feet of a fire hydrant or within five feet of any fire alarm or other emergency communication device, including public telephones, either by the busker's location or by the location of any crowd that the busker may draw.
- (d) Buskers may perform in designated areas during an event that has been authorized by the City with the permission of the sponsor of such event.
- (e) Buskers shall not perform before the hour of 9:00 a.m. nor after the hour of 10:00 p.m.

- (f) The conduct and behavior of buskers shall comply at all times and in all respects with the City's existing noise ordinance.
- (g) Buskers shall not obstruct or cause to be obstructed pedestrian or vehicular traffic including, but not limited to, sidewalks, doorways or other access areas. If a sidewalk entertainer attracts a crowd sufficient to obstruct the public way, a police officer may disperse the portion of the crowd that is creating the obstruction.
- (h) Buskers shall provide the minimum pedestrian passageway on the sidewalk as required by the Americans with Disabilities Act, which is currently five feet.
- (i) Buskers or a group of buskers shall not perform closer than 50 feet from a sidewalk entertainer located within an approved encroachment area, another busker or group of buskers
- (j) Buskers shall remove all props and other items used for a performance from the public area during breaks and immediately after the performance ends. Trash and other debris shall be removed from the area of the performance immediately after the performance ends.
- (k) A busker may passively request contributions of money at a performance, provided that no sign requesting contributions shall exceed twelve inches by eighteen inches. Contributions may be received in any receptacle, such as an open musical instrument case, box or hat.
- (l) Buskers shall not use pyrotechnics, fireworks, knives, animals, fire, projectiles or any other prop, device or material which might cause harm to or endanger pedestrians.
- (m) Buskers shall not consume nor be under the influence of alcoholic beverages or other controlled or intoxicating substances while performing.
- (n) A busker or group of buskers complying with the requirements of this section shall not be deemed to be in violation of any other city regulation or ordinance applicable to street performers.
- (o) Buskers shall not violate the prohibitions on disturbing, annoying and unnecessary noise as set forth in Section 9-1-21.
- (p) Buskers shall not use a megaphone during a performance unless the performance is in conjunction with a city-approved festival or event. Devices such as amplifiers for musical instruments shall be permitted provided their use is in compliance with the City's noise ordinance.
- (q) Buskers shall not perform in a manner that could be considered dangerous and/or inappropriate and shall not be dressed or conduct themselves in a manner that is likely to cause alarm, distress or offense to members of the public.
- (r) Buskers shall not perform for more than 90 minutes in any one location

### Sec. 7-4-124 Exclusion of Public Areas.

During periods of construction on the streets, sidewalks and other infrastructure, the City Administrator may, from time to time, temporarily prohibit performances from areas where there are issues of public safety, and the City Administrator or his designee may, in his discretion, issue notices of exclusion from areas as the construction requires.

### Sec. 7-4-125 Penalties.

A permit may be suspended or revoked if a performer is found to have knowingly provided false information on the application or has violated the rules and regulations or any Federal, State or local law or ordinance related to this permit.

### Sec. 7-4-126 Severability.

The provisions of this section are severable, and if any part of this section should be held invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of the section and the remainder of the section shall remain in full force and effect.