

THE CORPORATION OF THE
CITY OF NELSON



INFORMATION ON OUR
STREET PERFORMERS' POLICY

Nelson City Council has adopted this policy for Street
Performers and Entertainers

P:\Central Documents\Forms\StreetPerformersPolicy\2012

POLICY:

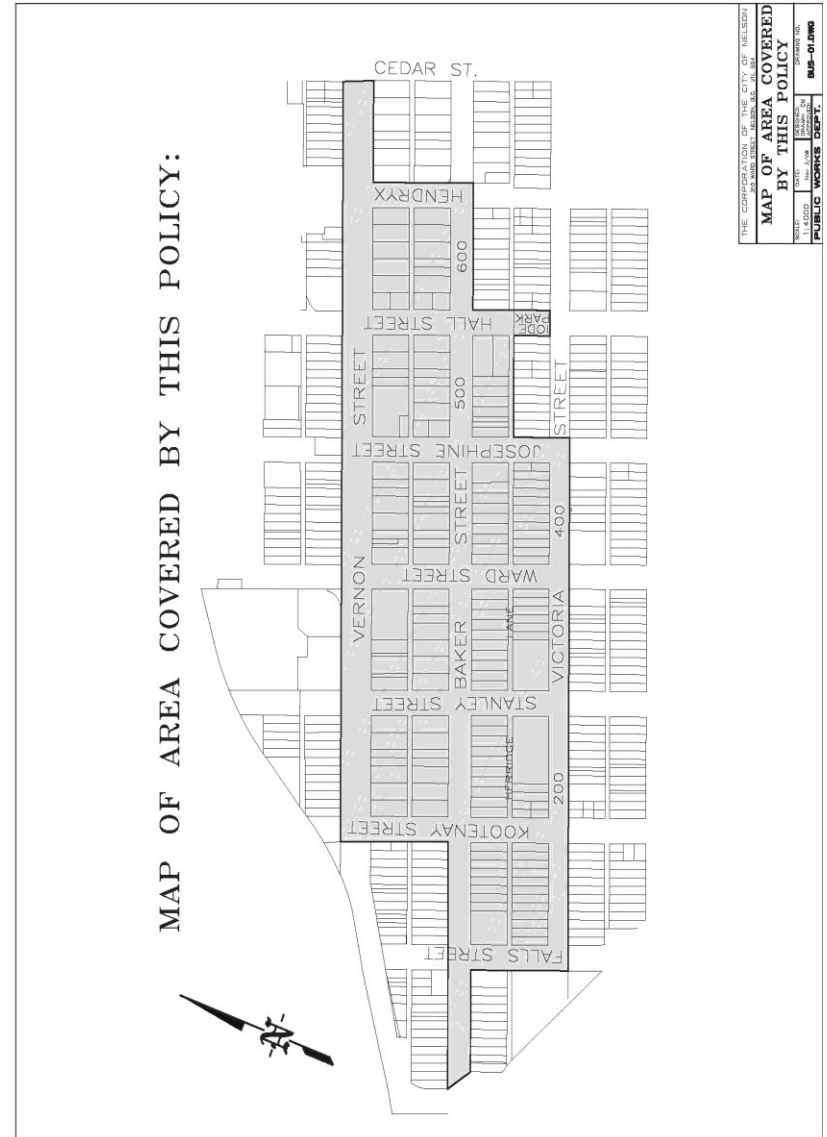
Street Performances and other like entertainment, including the use and playing of musical instruments, are welcomed in the downtown core of Nelson which has been designated a LICENSED PERFORMANCE AREA (such area shall be defined in Schedule “A” of the Noise Control By-Law). Any and all locations in the area shall require a license or permit to perform.

Performers and Entertainers wishing to perform in the Downtown Licensed Performance Area shall first obtain a Street Performers Annual or Temporary Permit as required under the “Business License By-Law” and this policy.

Performers and Entertainers wishing to use any location in the Designated Area must first complete the necessary liability waiver document for the City of Nelson. Street Performing and Busking are not permitted downtown other than as outlined in this policy.

PURPOSE:

City Council recognizes that the performing arts is an integral part of Nelson’s uniqueness as a whole community and this policy attempts to provide a balance between the needs of street performers and entertainers, the residents of the City and the business community and residents in the downtown core.



PROCEDURE:

1. The Annual and Temporary Permit fees payable with respect to Street Performing shall be in accordance with the schedule of fees as prescribed in the Business License By-law and this policy. All applications for an Annual or Temporary permit will include the following Code of Conduct which must be signed and agreed to by the applicant:

Street Performer's and Entertainer's Code of Conduct:

- a) Entertainers will not perform so close to another performer as to interfere with the other's performance;*
- b) Entertainers must locate themselves in such a way that their audience does not obstruct the flow of pedestrian traffic or any business entrance.*
- c) Entertainers will respect the right of businesses to operate without undue disturbance by entertainment outside their premises.*

2. Temporary Permits may be obtained the Nelson Police Department by completing the necessary application and paying a \$5 per day for a maximum of three (3) days in any calendar year. Street Performers wishing to play for longer periods must obtain a Street Performer's Annual Permit. The annual fee is \$30.00.

3. Any act, include a duo or group, shall require one license or temporary permit, subject to the City of Nelson reserving the right to limit maximum number of performers to be included in any one license or temporary permit.

4. An Annual or Temporary permit issued under this policy is not transferrable and must be displayed by the Performer at all times while performing.

5. Performers and entertainers shall sign a liability waiver form with the City of Nelson prior to receiving a permit issued by the City.

6. Performers and entertainers must abide by all the Municipal By-laws and all Federal and Provincial statutes and regulations while performing.

7. The City shall have the right to refuse to grant, to suspend or to terminate any annual business license or temporary permit issued with respect to any Street Performing in accordance with the provisions of The Local Government Act, the Business License By-law, the Noise Control By-law or this policy.

8. Amplification of performances and the use of drums are not permitted, except by special permission of the City Manager, which will not be granted unless the performer has submitted a written letter signed by the businesses affected stating they have heard the instruments and have no objections to them. Further, on any complaint about the amplification or drums, the City Manager will revoke this permission

9. Performers and Entertainers must be of good conduct and character while performing.

10. Performances and Entertainment are permitted in the Licensed Performance Area from 10:00 a.m. to 9:00 p.m. seven days per week.

11. Performers and Entertainers shall not occupy any location for more than one hour at a time in any four-hour period.

12. Performers and entertainers shall ensure that no more than two performers are performing in any one block and that their performance does not interfere with another's.
13. Owners or Occupiers of property in the Licensed Performance Area may prominently display a "No Street Performers" sign which will indicate to the performers, that they may not perform adjacent to that property.
14. Performers and Entertainers shall introduce themselves to adjacent business owners or operators within twenty (20) feet of their performance and shall not approach for permission to perform adjacent to a business displaying the "No Street Performers" sign.
15. Owners and Occupiers of the property in the Street Performance area shall be canvassed annually by the City to ensure their agreement with the policy.



To assist both Merchants and Street Performers, the "No Street Performers" signs will be available at City Hall.

Temporary or Annual Permits can be purchased at Nelson Police Department, 606 Stanley Street, Nelson, BC. Note cash only and IOUs are not accepted.

Please remember Temporary Permits are valid for a maximum of three (3) days in the calendar year. Street Performers wishing to play for longer periods must obtain a Street Performer's Annual Permit. The annual fee is \$30.00.

Background checks with valid ID will be completed prior to issuing of permits.

The City of Nelson's Noise Control By-Law prohibits the playing of musical instruments in the downtown core area contrary to the policies and procedures outlined in this brochure and allows for such musical instruments to be removed, detained or impounded by any By-Law Enforcement Officer or any Police Officer. Detention and Impoundment fees are required for retrieval of the instrument.

City Council has designed this policy with the needs of both the merchants and the Street Performers in mind and hopes it will enhance the beauty and ambience of our vital downtown core, with the spirit of cooperation necessary to make it work.

