



**HAMILTON**  
cityofmusic

# **STREET PERFORMANCE POLICY**

# DEFINITION



**HAMILTON**  
cityofmusic



Photo Credit - Cara Nickerson, CBC

## What is a Street Performer?

A street performer or busker is one individual or very small group of individuals who provides free and spontaneous entertainment in public spaces and can include musicians, poets, acrobats, jugglers, mimes, magicians, artists, and a variety of other types of performers.

## What ISN'T Street Performance?

Amplified advertising for a business, ideology or physical item.

Entertainment is the goal, not promotion.

# BACKGROUND



**HAMILTON**  
cityofmusic

- Direction was provided to staff by Emergency & Community Services Committee in October, 2010 to develop a policy and guidelines relating to street performance;
- Consultation was undertaken with the public, Ward 2 Councillor's Office, local buskers, business representatives, MLE, Arts Advisory Commission, Task Force on Cleanliness and Security in the Downtown Core, and Hamilton Police Services;
- Jurisdictional scan was undertaken to determine best practices;
- Draft policy and guidelines were developed in the summer of 2011;
- Policy adopted in December of 2011.



Photo credit – J. Rennison, Hamilton Spectator



Photo Credit – Concession St BIA, Instagram

- Recognition that street performances add vibrancy to the community and streetscape;
- Creativity in the public realm is an important part of developing and celebrating a sense of place;
- Focus on 3 key areas: Location, Performance and Financial Transactions;
  - Location: Permitted in outdoor public spaces, cannot conflict with areas reserved for events. Private property permitted with owner permission. Prohibited at transit stops and must not impede pedestrian or vehicular traffic.
  - Performance: Maximum 3 hours, only battery powered amplification, no high-risk activities.
  - Financial: can accept monetary appreciation but not solicit funds. Business license to sell goods.

# COMPLIANCE



**HAMILTON**  
cityofmusic

- Must comply with all statutory requirements, rules, regulations and by-laws (including the Noise By-law);
- May not conflict with public spaces reserved for scheduled events;
- May only occur on private property with the permission of the property owner;
- Performers **MUST** cease any activity and remove any performance equipment or materials at the request of Hamilton Police Services or any person designated by the City for reasons of public safety



Photo Credit – The Hamilton Buskers, Facebook