



## Temporary Use of Public Right-Of-Way Street Performer Policy

### **Purpose**

Street performances constitute public amenities that enhance the vibrancy, vitality, and ambience of the City of Savannah. Allowing for the regulated use of the public right-of-way for such performances, therefore, should be permitted; provided, however, that performers do not interfere with residents' reasonable quality of life expectations, disturb business activity, or compromise public safety.

### **Definitions**

*Street Performer.* An individual who performs balloon twisting, card tricks, clowning, comedy, contortions, dance, singing, juggling, magic, mime (including living statue performances), musical performances, puppeteering, street art, or other similar such activity. The term *street performer* also includes artists and crafters, where the work of such persons is performed while the artist or crafter is situated within the public right-of-way pursuant to this article.

*Street Performance.* The act of performing in public places, oftentimes, but not determinatively so, for gratuities. The term *street performance* also includes busking.

*Handmade Items.* Merchandise that is made entirely by the labor of a street performer. Such merchandise shall not include any finished products bought for resale, or any perishable or edible merchandise.

### **Application**

Any person desiring to use the public right-of-way for Street Performance purposes shall first apply for and obtain a permit from the City of Savannah. The application shall state the true, lawful, and complete name, contact number, and address of the applicant. All applicants shall attach a copy of his/her current state-issued identification card or driver's license. The applicant will be required demonstrate his/her art, craft, or performance for review by City staff.

Applications will be accepted by mail and on Wednesdays from 9am to 12pm (except City holidays) at the Office of Special Events, Film & Tourism, unless prior arrangements are made between the applicant and staff. Applicants shall allow 1-2 weeks for the application packet to be processed.

### **Identification Badge**

Once the application package has been processed, the applicant shall be issued a permit in the form of an identification badge. The badge shall contain the following information:



1. The performer's name;
2. A photograph of the performer;
3. His/her performance classification;
4. Date of issuance; and
5. The signature of an authorized City representative.

Performers shall conspicuously display their badges at all times they are engaged in street performances within the City's right-of-way.

### **Permit Term**

Permits expire on December 31 of each year. No permits may be issued between September 1 and December 31.

### **Palm Frond Crafters**

Permits for palm frond crafters shall be limited to 15 per year. Permits will be distributed through a lottery system, which shall include 15 permittees and include a list of three ordered alternates should a permit be revoked.

### **Minors**

Any applicant under the age of 18 must present a signed letter of consent from his/her parent or legal guardian with the application package. All permitted minors must have a parent or legal guardian present at all times they are performing on the public right-of-way.

### **Dress Requirements**

Street Performers shall wear clothing and footwear that is neat and in good repair, free of holes, tears, fading, and stains.

### **Cleanliness**

Street Performers shall keep the area in which they perform, to include areas immediately adjacent thereto, clean and free from any litter or debris that may be generated as a consequence of or otherwise associated with their performance. This includes refuse left by patrons and onlookers.



## **Permitted Areas**

*Location.* Street Performances shall be limited to Forsyth Park, south to the sidewalk abutting the north-side curb line of Park Avenue and the following squares: Johnson, Chippewa, and Reynolds. Wright Square will be open to artists and crafters only; provided, however, permittees engaged in such activities may not utilize amplified sound.

*Rousakis Plaza.* Street Performances may occur in Rousakis Plaza between the Barnard and Abercorn Street ramps on the east and west sides, respectively, the Savannah River on the north, and the sidewalk abutting the north-side curb line abutting the sidewalk of River Street, excluding the ramps and planter boxes.

*Specific Exclusions.* Any area not identified as a permitted area in this section shall constitute an unpermitted area. By way of example, and without limitation, unpermitted areas include: the sidewalk adjacent to the south-side curb line of River Street; the sidewalk adjacent to the south-side curb line of Broughton Street; Franklin Square; Ellis Square; and the area around the Hyatt Hotel.

*Placement.* Performances shall occur only on the east and west portions of any square. The pedestrian walkway extending from the north to the south shall remain unobstructed and free from street performances.

*Use of Locations.* Permitted areas shall be utilized on a first-come, first-served basis. Business owners may not engage Street Performers to use the public right-of-way adjacent to their businesses.

## **Restrictions**

*Solicitation.* At no time shall a Street Performer make oral solicitation or harass the public to pay for performances and/or merchandise. Street Performers may only receive voluntary, non-specified donations and/or gratuities from the public.

*Conflicting Events.* Street Performers, permit notwithstanding, shall yield to scheduled, permitted special events conducted within permitted areas.

*Prohibited Materials.* Street Performers shall not use, display, or incorporate into their performances any knives, swords, torches, open flames, axes, saws, firearms, or any other hazardous material, equipment, chemical, or object that is capable of causing serious bodily harm to a person.

*Animals.* Street Performers shall not include animals in their performances.

*Noise.* When authorized by the City, amplification is permitted to the extent consistent with the City's Noise Control Ordinance and as otherwise consistent with the provisions of this article.



### **Distance Requirements**

No more than one Street Performer (excluding artists and crafters) may perform in any square at the same time. Street Performances shall not exceed two consecutive hours, including performance breaks.

Within Forsyth Park and Rousakis Plaza, any Street Performer who emits sound shall maintain a distance of at least 150 feet from any other sound emitting Street Performer.

Artists and crafters shall maintain at least 50 feet of separation from any other artist or crafter.

### **Display of Merchandise**

Displays shall be no larger than six feet in width and three feet in height, whether on the ground or atop a table. All merchandise shall be restricted to one tier. No artisanal or crafting display may be left unattended for more than fifteen minutes. Displays left unattended for more than fifteen minutes may be considered abandoned and subject to removal by the City.

### **Removal**

Any display or other material associated with a Street Performer or a Street Performance that: interferes with vehicular traffic, pedestrian traffic or public amenities; obstructs the right-of-way; contains lewd or obscene material; or, is otherwise dangerous or damaging to public property shall be removed immediately upon the request of any authorized City representative.

### **Hours of Operation**

*From September 1 through March 31:*

Sunday – Wednesday	9:00am – 9:00pm
Thursday – Saturday	9:00am – 10:00pm

*From April 1 through August 30:*

Sunday – Wednesday	9:00am – 10:00pm
Thursday – Saturday	9:00am – 11:00pm

### **Violations & Penalties**

*Suspension of Permit.* Where a Street Performer is found to be in violation of the provisions of this policy, his/her permit shall be suspended for 30 days for the first offense. For the second offense within a rolling twelve month period, the permit shall be suspended for 90 days.

*Revocation of Permit.* Where a Street Performer is found to be in violation of the provisions of this policy for a third time within a rolling twelve month period, his/her permit shall be revoked.



Such performer shall be ineligible to receive a permit for one year following the date of the third offense.

*Disorderly Conduct.* Any Street Performer specifically found to be in violation of the City's Alcoholic Beverage Ordinance or Part 9, Offenses, of the City Code while engaged in a Street Performance or otherwise within the public right-of-way pursuant to a permit issued under this policy shall be subject to immediate permit suspension for a period of 30 days for a first offense. For a second offense under this subsection within a rolling twelve month period the Street Performer's permit shall be revoked and he/she shall not be eligible to reapply for a period of five years.

*Performing without a Permit.* Any person who engages in street performing activity, as defined by this article, without first submitting an application and obtaining a permit shall be charged with a City Code violation and subject to summons to Recorder's Court.

### **Appeals**

Where a Street Performer's permit was revoked pursuant to this policy, he/she may appeal, by written request no more than five days after the date of revocation, to the Director of Special Events, Film & Tourism. The Director, within five days of receipt of the appeal, shall schedule a hearing, which shall occur no later than 30 days after receipt of the appeal. The Director shall provide the appellant with written notice of the hearing and an invitation to attend and participate, to include presenting mitigating evidence. Within 5 days of the conclusion of the hearing, the Director shall provide a written determination to the appellant, which includes findings and conclusions.