

St. Louis City Ordinance 64105

FLOOR SUBSTITUTE

BOARD BILL NO. [97] 143

INTRODUCED BY ALDERMAN PHYLLIS YOUNG

An ordinance pertaining to street performers; repealing Section Eight of Ordinance 4869, which is codified as Section 15.50.130 of the Revised Code of the City of St. Louis, and establishing a procedure by which street performers are issued permits, containing definitions, a penalty clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section Eight of Ordinance 4869, which is codified as Section 15.50.130 of the Revised Code of the City of St. Louis, is hereby repealed.

SECTION TWO. Definitions.

The following terms are defined for the purpose of this ordinance as follows:

(a) **Perform** includes, but is not limited to, the following activities: acting, singing, pantomime, juggling, magic, dancing and playing musical instruments, radios or other machines or devices for the producing or reproducing of sound.

(b) **Performer** means an individual to whom a permit has been issued for the purpose of performing on the public area.

(c) **Public Area** means and includes any public sidewalk, alley, parkway, playgrounds or public right of way or easement located in any nonresidential dwelling district, as so designated in the zoning ordinance, within the city of St. Louis, except the 8th, 11th, 20th, 24th and 27th Wards, Metrolink transit platforms and stations operated by Bi-State Development Agency and any area in which performing is prohibited or otherwise regulated by law.

SECTION THREE. Permit --Required.

No person may perform in a public area without have obtained a permit issued under Section Four of this ordinance.

SECTION FOUR. Permit--Conditions.

(a) A permit shall be issued by the Director of Streets to each applicant therefor in exchange for a completed application and a fee of \$25.00.

(b) A completed application for a permit shall contain the applicant's name, address, telephone number and type of performance and shall be signed by the applicant.

(c) A permit shall be valid from the date on which it is issued through December 31st of the year in which it is issued.

(d) The permit shall be numbered and contain the name of the applicant and the year in which it is issued.

(e) A permit shall be nontransferable.

(f) Upon issuing a permit, the Director of Streets shall also issue to the performer a printed copy of this ordinance and a copy of any other ordinance, map or information pertaining to the existing prohibitions and regulations of performers within the city.

SECTION FIVE. Permit--Display.

A performer shall carry and display a permit on said performer's person at all times while performing in a public area.

SECTION SIX. Rules and Regulations.

(a) A performance may take place in any public area, but only between the hours of 10:00 a.m. and 9:00 p.m. on Sundays through Thursdays and between 10:00 a.m. and 10:00 p.m. on Fridays and Saturdays.

(b) A performer may not block the passage of the public through a public area. If a sufficient crowd gathers to see or hear a performer such that the passage of the public through a public area is blocked a police officer may disperse that portion of the crowd that is blocking the passage of the public.

(c) A performer may not perform in a public area so as to obstruct access to private property, except with the prior consent of the owner or manager of the property.

(d) A performer may not use electric or electronic amplification except for devices powered only by self contained batteries. The conduct and behavior of all performers shall comply in all respects with existing noise ordinances.

(e) No performer or group of performers shall perform at a distance of less than 50 feet from another performer or group of performers who are already performing.

SECTION SEVEN. Acceptance of contributions.

(a) A performer may accept contributions of money or property at a performance. Contributions may be received in any receptacle. Performers may accept contributions in exchange for representations of their own work, however, no product may be offered at a fixed price with the exception of musical reproductions.

(b) A performer who performs and accepts contributions under the provisions of this ordinance shall not be guilty of aggressive begging under Section 15.44.010 (Revised Code) or of peace disturbance under Section 15.46.030 (Revised Code) unless it is determined by a police officer that such a performance is not in the spirit of entertainment but rather calculated to provoke a breach of the peace.

(c) No other license is required for any activity permitted in this section.

SECTION EIGHT. Special Events.

Nothing contained in this ordinance shall be construed to apply to special events conducted by the City of St. Louis or to events conducted by permission of the City of St. Louis.

SECTION NINE. Penalty

Any person who violates the provisions of this ordinance, or who knowingly furnishes false information on the permit application, shall be subject to a fine of not less than \$50.00 nor more than \$500.00.

SECTION TEN. Revocation of permit.

The Director of Streets may revoke any permit issued under the terms of this ordinance if the permit holder violates any provision of this ordinance or any permit regulation.

SECTION ELEVEN Emergency Clause.

This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of

Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/20/97	06/20/97	C&T	06/23/97	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
07/11/97	07/11/97	07/11/97	07/11/97	07/18/97
ORDINANCE	VETOED		VETO OVR	
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