



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 policy.

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.

Identification Badge. A badge that serves to identify the person wearing it. A street performers' identification badge serves as a permit to perform. In reference to this policy, "Identification Badge" and "Permit" will be used interchangeably.

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.

Applications may be denied for any of the following reasons:

- (1) Outstanding citations or violations from the City of Savannah Code Compliance Department or the Savannah Police Department regarding street performance.
- (2) Inclusion on the Savannah Police Department "Aggressive Citizen and City Market Ban" list.



- (3) Previous Identification Badge holders with a suspended or revoked badge due to violations or disorderly conduct for the term of the suspension or revocation (see Violations & Penalties below).

Fees

Street Performer Identification Badge Fee: \$20 per year
Replacement Badge Fee: \$10 each occurrence

An Identification Badge Fee of \$20 per year applies for all approved applicants. There is a \$10 replacement badge fee for all lost or stolen badges.

All fees must be paid by check or money order made payable to the City of Savannah. No street performer permits will be issued until the appropriate fee has been remitted.

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
5. Expiration date; and
6. The signature of an authorized City representative.

Performers shall have their identification badge visibly displayed or on their person at all times they are engaged in street performances within the City's right-of-way.

Identification Badges are property of the City of Savannah and can be revoked for violations. All performers must have their city permitted Identification Badge.

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 have a parent or legal guardian present when submitting the application package. Parents or legal guardians must present a signed letter of consent at the time of application. All permitted minors must have a parent or legal guardian present at all times they are performing on the public right-of-way.

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.

No permit holder shall dispose of any trash or material in the Savannah River; to include palm frond waste, plastic, liquids, perishable items, etc. Performers must provide their own waste bag to dispose of any and all trash or material created by performer.

Permitted Areas – refer to Street Performer Map (issued with permit)

Location. Street Performances shall be limited to Forsyth Park, 60ft south of the fountain, 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 shall always remain unobstructed.

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. Upon the request of any authorized City representative, performers must immediately relocate to a different permitted location.

Restrictions

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, other than for legitimate ADA purposes.

Noise. When authorized by the City, amplification is permitted to the extent consistent with the City's Noise Control Ordinance, as amended, and as otherwise consistent with the provisions of this article. No amplified sound is permitted.

Palm Frond Crafters. Palm frond crafters are subject to further restrictions on permitted locations, refer to the Palm Frond Map for specific locations within the downtown area. Palm frond crafters must carry all materials inside a closed container or bag while in route to a permitted location.

Personal Conduct. No vulgar, lewd, or obscene dress or behavior will be tolerated.

Distance Requirements

At no time shall there be more than two street performers in a square at the same time.

At no time shall there be more than one sound emitting Street Performer in any square at the same time.

Street Performances shall not exceed two consecutive hours, including performance breaks. After two hours in one approved area performer must relocate to another approved area.

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.

No street performer shall be on the stage in Rousakis Plaza.

Display of Merchandise

Displays shall be no larger than three feet in length, width, and 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.

No street performer shall display art or merchandise on public benches, monuments, buildings, etc.

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

In accordance with Section 4-4002 of the City Code, all street performers must vacate parks and squares at 9:00 p.m. each day.

Rousakis Plaza

From September 1 through March 31:

Sunday – Wednesday 9:00 a.m. – 9:00 p.m.

Thursday – Saturday 9:00 a.m. – 10:00 p.m.

From April 1 through August 30:

Sunday – Wednesday 9:00 a.m. – 10:00 p.m.

Thursday – Saturday 9:00 a.m. – 11:00 p.m.

Violations & Penalties

Suspension of Permit. Where a Street Performer is found to be in violation of the provisions of this policy, his/her permit will be subject to the following penalties, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

(1) First violation: *Suspension of permit.* Maximum 30 day suspension of Street Performer permit.

(2) Second violation within the preceding 12 months: *Suspension of permit.* Maximum 60 day suspension of Street Performer permit.

(3) Third violation within the preceding 12 months: *Revocation of Permit.* Street Performer permit shall be revoked. Such performer shall be ineligible to receive a permit for one year following the date of the third offense.

Upon violation, the tourism compliance officer or City of Savannah PD will confiscate the City issued identification badge from street performer and deliver it to the Office of Special Events, Film, and Tourism. A meeting will be scheduled with the performer, Code Compliance staff and Tourism Management Coordinator, or his/her designee about reinstatement of badge. Decision will be rendered at end of meeting. Violation will be kept on file. If performer fails to attend the meeting he/she will be issued a summons to Recorder's Court.

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 violation of Section 4-1001 of the City Code and will be issued a to summons to Recorder's Court.



Counterfeit Permits. Any person found with a counterfeit permit will have counterfeit permit confiscated and shall be charged with violation of Section 4-1001 of the City Code and will be issued a summons to Records Court. Violation will be kept on file.

Appeals

Where a Street Performer's permit was revoked pursuant to this policy, he/she may appeal, by written or verbal request no more than 5 days after the date of revocation, to the Director of Special Events, Film & Tourism or his/her designee. The Director or his/her designee, within five business days of receipt of the appeal, shall schedule a hearing, which shall occur no later than 10 days after receipt of the appeal. The Director or his/her designee shall provide the appellant with written notice of the hearing and an invitation to attend and participate, to include presenting mitigating evidence. Within 5 business days of the conclusion of the hearing, the Director or his/her designee shall provide a written determination to the appellant, which includes findings and conclusions.