



**STREET ENTERTAINERS BYLAW**

**5357-2013**

**THIS DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY** and is a consolidation of "District of Mission Street Entertainers Bylaw 5357-2009" with the following amending bylaws:

<b>Amending Bylaw</b>	<b>Date Adopted</b>	<b>Section Amended</b>
5487-2015-4029(11) (general fees and charges amending)	March 16, 2015	Schedule B

Individual copies of any of the above bylaws are available from the Corporate Administration Department of the District of Mission. For legal purposes, copies of the original bylaws should be obtained.

**DISTRICT OF MISSION  
BYLAW NO. 5357-2013**

A Bylaw to regulate Street Entertainers in the District of Mission

WHEREAS Council recognizes that the arts, which include Street Entertainers contribute to a vibrant and eclectic urban environment;

AND WHEREAS Council wishes to support Mission based not for profit groups by improving their prominence within Mission, increasing their volunteer base and improving their ability to raise funds;

AND WHEREAS Council wishes to provide for a regulatory scheme that is designed to encourage performance by Street Entertainers under conditions that minimize the potential for conflict and nuisance to the public, businesses and other people living and working in areas where Street Entertainers perform;

AND WHEREAS Council is authorized, under the *Community Charter*, to regulate business and the use of highways and other public places within the District of Mission;

AND WHEREAS Council is authorized, under the *Community Charter*, to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community.

NOW THEREFORE, the Council of the District of Mission, in open Meeting assembled, enacts as follows:

**1. Title**

This Bylaw may be cited for all purposes as the “District of Mission Street Entertainers Bylaw No 5357-2013”.

**2. Interpretation**

In this Bylaw, unless the context otherwise requires:

“**District**” means the District of Mission;

“**Not For Profit Organization**” means a Mission based not for profit organization that is registered and in good standing under the Societies Act of British Columbia;

“**Peace Officer**” includes a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer appointed from time to time by Resolution of Council;

“**Special Event**” means, where permitted verbally or in writing by the District of Mission, an activity or event undertaken in a public place including, but not limited to, a festival, concert, carnival, sport or other competition, tournament, derby, wedding, group picnic, group celebration, procession, performance, exhibition, ceremony, organized gathering or social, recreational event, convention, workshop, meeting, sales event, kiosk or concession;

“**Street Entertainer**” includes a single or group of musicians or performers who actively entertain the public on or adjacent to a street or other place open to the public and who receives or has an expectation of receiving a gratuity or other donation from one or more members of the public;

**“Street Entertainment Permit”** means a permit issued under Section 4.1 of this Bylaw to a Street Entertainer.

### **3. Permit Application Process**

- 3.1. A Not For Profit Organization must apply to the District for a Street Entertainment Permit using the form in Schedule “A”;
- 3.2. If the District is satisfied that the application is complete and in compliance with this bylaw it will issue a Street Entertainer Permit, with or without conditions, using the form in Schedule “C”;
- 3.3. Each application for a Street Entertainment Permit shall be accompanied by the fee prescribed in Schedule “B”.
- 3.4. Where a permit is refused under Sections 3.2, the District shall inform the applicant in writing within 72 hours stating the reasons for refusal.

### **4. Permit Requirements**

- 4.1. A Street Entertainment Permit shall only be issued to a Not For Profit Organization;
- 4.2. The Not For Profit Organization assumes all responsibility for ensuring the Street Entertainer’s performance complies with all District bylaws and that the performance is consistent with family oriented entertainment;
- 4.3. A valid Street Entertainment Permit must be available for review during any performance;
- 4.4. A Street Entertainment Permit will be valid for up to a maximum of three (3) consecutive or non-consecutive days of performances as specified in the Street Entertainment Permit;
- 4.5. Despite any Street Entertainment Permit issued or anything in this bylaw, a Peace Officer may, at any time, with or without written notice, require a Street Entertainer to vacate an entertainer location to accommodate:
  - 4.5.1. A Special Event, or
  - 4.5.2. Operational or emergency activities or works related to services or lands of the District of Mission such as, but not limited to, maintenance, closures, repairs, installations or construction or other safety or emergency planning activities carried out by the District of Mission.
- 4.6. The District may include conditions in a Street Entertainment Permit related to the timing of performances, location of performances, minimizing interference with or obstruction of vehicular or pedestrian traffic or any other matter the District believes is appropriate.

### **5. REGULATIONS**

All Street Entertainers shall:

## General

- 5.1. Obtain a valid Street Entertainment Permit in the name of a Not For Profit Organization prior to commencing any performance;
- 5.2. Comply with all provisions of this bylaw, all other bylaws of the District of Mission and any conditions specified in the Street Entertainment Permit;
- 5.3. Remove all litter and/or garbage generated by the performance;
- 5.4. Not create noise that is significantly louder than the surrounding environs or noise that results in disturbance to neighbouring residences or businesses;
- 5.5. Not obstruct the free passage of pedestrians, vehicles, access to private businesses or permitted bicycle traffic in any way as determined by a Peace Officer;
- 5.6. If choosing to sell any recordings or other depictions of their own performances, shall do so only during a performance and done in a passive manner without the use of aggressive or threatening selling techniques;
- 5.7. Follow the directions and requests of a Peace Officer to vacate an entertainer location;
- 5.8. Not Use profanity or vulgar language or act in a way that is not consistent with family oriented entertainment;
- 5.9. Not consume alcohol or illegal drugs or perform while under the influence of alcohol or illegal drugs during performances;
- 5.10. Not use props in a manner that could injure or cause harm to a member of the public or damage private or public property;

## Locations

- 5.11. Only perform in locations on public property within the District of Mission identified as entertainer locations specified on the Street Entertainment Permit;

## Timing

- 5.12. Not perform before 10:00 am or after 9:00 pm seven days a week.

## **6. SUSPENSION OR CANCELLATION OF PERMIT**

- 6.1. The District or a Peace Officer is authorized to suspend or cancel the Street Entertainment Permit of any Not For Profit Organization where in their opinion the Street Entertainer is performing or operating in a manner that is not consistent with District bylaws or is unsafe;
- 6.2. If a Street Entertainment Permit is cancelled for noncompliance to District bylaws, or any other reason, a new application from the same Not For Profit Organization will not be accepted until after one year from the date of cancellation of the previous Street Entertainment Permit held by that Not For Profit Organization;
- 6.3. A new application for a Street Entertainment Permit will not be considered from a Not For Profit Organization if they have outstanding fines levied under any District bylaw.
- 6.4. Should a Street Entertainment Permit be suspended or cancelled, the District shall notify the permit holder, in writing, within 72 hours of the reasons for suspension or cancellation.

**7. Schedules**

The schedules in this bylaw form part of the bylaw and are enforceable in the same manner as the bylaw.

**8. Severability**

Each section of this bylaw shall be severable. If any provision of this bylaw is held to be illegal or invalid by a court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this bylaw.

READ A FIRST TIME this 15<sup>th</sup> day of April, 2013

READ A SECOND TIME this 15<sup>th</sup> day of April, 2013

READ A THIRD TIME this 15<sup>th</sup> day of April, 2013

ADOPTED this 6<sup>th</sup> day of May, 2013

\_\_\_\_\_  
WALTER (TED) ADLEM, MAYOR

\_\_\_\_\_  
KELLY RIDLEY, DEPUTY DIRECTOR  
OF CORPORATE ADMINISTRATION



SCHEDULE "A"

**STREET ENTERTAINMENT PERMIT  
APPLICATION FORM**

Name of Not for Profit Organization \_\_\_\_\_

Address \_\_\_\_\_

Contact Name \_\_\_\_\_ Email Address \_\_\_\_\_ Phone Number \_\_\_\_\_

Street Entertainer Contact Name(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Description of Entertainment  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Planned Locations  
\_\_\_\_\_  
\_\_\_\_\_

If a Street Entertainment Permit is granted, the permit holder agrees it will indemnify and save harmless the District of Mission from compensation and expenses of any nature whatsoever suffered or incurred by the Not For Profit Organization or Street Entertainer and its officials, officers, employees, servants, agents from all cost, losses, damages, sustained or caused by the occupation of the location or possession of the permit, and from all claims, demands, suits and judgments against the District and its officials, officers, employees, servants, agents. The applicant also understands that this permit may be suspended or cancelled without refund at the discretion of the District of Mission if in violation of the Street Entertainers Bylaw or any other District of Mission Bylaw.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Office Use Only	
Performance Commencement Date _____	
End Date _____	Permit Number _____
Staff Signature _____	

SCHEDULE "B"

**FEE SCHEDULE**

Street Entertainment Permit      \$5.10 (Effective April 1, 2015)



SCHEDULE "C"

**STREET ENTERTAINMENT PERMIT**

Name of Not for Profit Organization \_\_\_\_\_

Address \_\_\_\_\_

Contact Name \_\_\_\_\_ Email Address \_\_\_\_\_ Phone Number \_\_\_\_\_

Street Entertainer Contact Name(s) \_\_\_\_\_

\_\_\_\_\_

**Description of Entertainment**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Planned Locations**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Dates of Planned Performances**

Day 1 \_\_\_\_\_

Day 2 \_\_\_\_\_

Day 3 \_\_\_\_\_

**APPROVAL**

Staff Name: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_