



City of Salem
Street Performer Application

Please Type or Print Clearly

NAME: _____

STAGE NAME, IF ANY _____

HOME ADDRESS

Street: _____

City: _____

State: _____

Zip: _____

HOME TELEPHONE #: _____ CELL #: _____

EMAIL ADDRESS: _____

DATE OF BIRTH: _____

WHAT WILL YOUR PERFORMANCE CONSIST OF:

**CITY OF SALEM
STREET PERFORMERS RULES & REGULATIONS**

The City finds that the existence in the City of street performers provides a public amenity that enhances the character of the City and seeks to encourage such performances to the extent that they do not interfere with the reasonable expectations of residents to the enjoyment of peace and quiet in their homes or to the ability of businesses to conduct their businesses uninterrupted. These rules and regulations seek to balance the interests of the performers with those of the residents and businesses of the City.

A. Definitions.

1. "Perform" includes, but is not limited to, the following activities: acting, singing, playing musical instruments, pantomime, juggling, magic, dancing, reading, puppetry, sidewalk art (working with non-permanent, water soluble media, i.e., chalk, pastels, or watercolors directly on the pavement), and reciting. "Perform" shall not include the production of items for sale or services such as face painting or caricatures for which specific payment is requested.
2. "Performer" means a person who has obtained a License pursuant to this section.
3. "Public areas" means public sidewalks, parks, playgrounds and other Salem pedestrian areas.

B. License.

1. A License shall be issued by Licensing Board to each applicant therefore in exchange for a completed application and a fee of ten dollars.
2. A completed application for a License, and the License itself, shall contain the applicant's name, residential address and telephone number, and shall be signed by the applicant.
3. Annual license shall be valid July 1 – June 30.
4. A License shall be nontransferable, and shall contain the License number of the applicant and the year in which the License is valid. Each member of a group of performers who play together shall be required to obtain an individual License. In no event shall any group of performers, identified as such in their application and noted on their Licenses, be charged more than one hundred dollars total for Licenses for group members.
5. Upon issuing a License, the Licensing Board shall also give the performer a copy of these rules and regulations.
6. If a performer loses his or her License, one replacement License per year may be obtained for a fee of five dollars.

C. Display of License.

A performer shall clearly display his or her License while performing, and shall allow inspection of the License by any Salem police officer or staff person of the Salem Licensing Board on request.

D. Licensed Performances.

1. Performances may take place in the following locations:

- a. In public areas, except within one hundred feet of an elementary and/or secondary school, library, or church while in session, a hospital at any time, and except public areas excluded by the City Council, the Director of Public Services, or the Chief of Police pursuant to subsection F of this section;
- b. On private property, with the written permission of the owner or other person in control of such property; and
- c. In public areas where an authorized street fair or public festival is being conducted, with the permission of the sponsor of such fair or festival.

2. Performances may take place 11AM – 8PM Daily.

6. A performer may request contributions or money or property at a performance, provided that no sign requesting contributions shall exceed twelve inches by twelve inches in size. Contributions may be received in any receptacle, such as an open musical instrument case, box or hat. On sidewalks, displays must not obstruct handicap ramps, doorways, or windows (i.e., performers shall not tape or post signs or posters on windows or lean displays against windows so as to obstruct a clear view through the window).

E. Exclusion of Public Areas.

1. A specific public area may be excluded from performances in accordance with constitutional standards by decision of the City Council after a public hearing notice of which shall be advertised once in a local newspaper no less than fourteen days prior to said hearing.

2. By decision of the Chief of Police in the case of an emergency or if the Chief determines safety so warrants. Any holder of a license who disputes the need for said emergency exclusion may appeal to the City Council for review.

F. Prohibition.

1. No person may perform in a public area without a License issued pursuant to subsection B of these rules and regulations.

2. The use of fire of any kind during the performance or the use knives or weapons regardless of authenticity is strictly prohibited.

3. No performer or group of performers may generate noise exceeding the designated sound level of the performance area measured at a distance of fifteen feet from the performer or group of performers. Designated performance areas are shown on the attached map and have an accompanying maximum Db levels as follows:

- Db Zone 1 Quiet area suitable for human statues, mimes, acapella singers and the like and a maximum Db level of 73
- Db Zone 2 Acoustic music allowed not to exceed 78 Db, excludes saxophones, horns and drums, or 5 Db above ambient (without any amplified sound)
- Db Zone 3 Amplification allowed not to exceed 83 Db or 5 Db above ambient (without any amplified sound)

Note: On occasion, City-sponsored programmed events are scheduled at various locations such as Derby Square or the fountain stage across from the Peabody Essex Museum. During these occasions, these areas are not open public performance spaces.

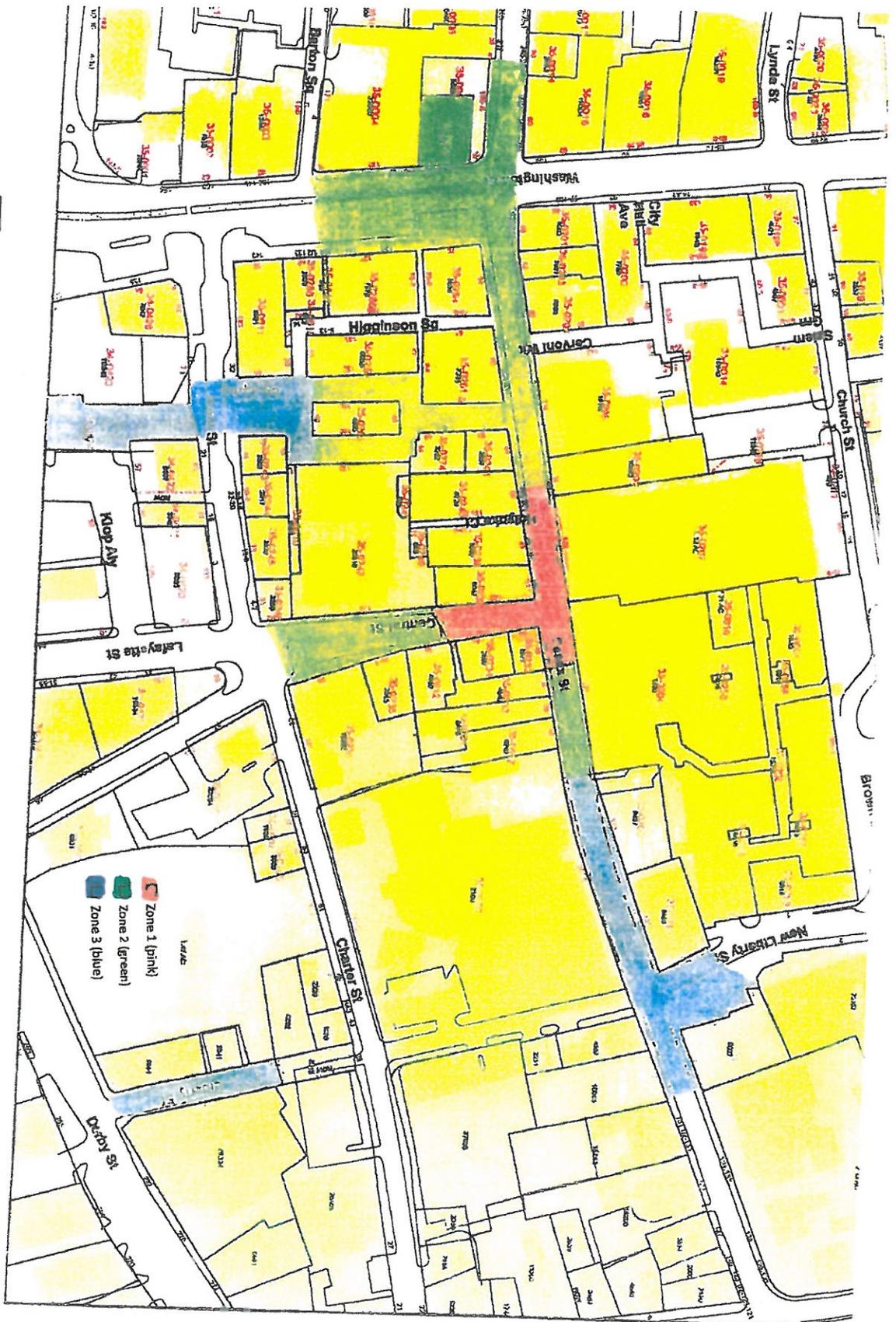
4. Upon a complaint by a resident, a designated staff person from the Salem Licensing Board shall, with the permission of the resident, measure the sound level inside the residential dwelling. If the sound level exceeds a median sound level of fifty decibels, and exceeds the background noise by at least ten Db(A), the performer or group of performers causing the excessive sound level shall either turn down the music or move to a distance from the residence so as to reduce the sound level within these limitations.

5. A performer may not create an undue interference with the passage of the public through a public area. If a performer attracts a crowd sufficient to obstruct the public way, a police officer may disperse the portion of the crowd that is creating the obstruction. The police officer shall not cause the performer to leave the location unless efforts to move the crowd fail to adequately protect the public safety or order. A police officer shall not ask the performer to leave the location unless all other means of restoring the public safety or order have been exhausted.

f. No performer or group of performers may perform less than twenty-five feet from another performer or group of performers. A greater distance may be required if the performance demands a large area.

G. Revocation of License.

The Salem Licensing Board may revoke a License for the remainder of the calendar year, but before suspending or revoking a License, the Licensing Board must hold a public hearing, after ten days written notice to the performer setting forth the facts constituting the basis for the proposed suspension or revocation.



ZONE 1 – Pink/Red – Quiet Zone – human statues, mimes, acapella singer
 Not to exceed 73 Db.

ZONE 2 – Green – Acoustic Zone – no saxophone, horns or drums
 Not to exceed 78 Db or 5 Db above ambient level.

ZONE 3 – Blue – Amplification Zone –
 Not to exceed 83 Db or 5 Db above ambient level w/o amplification

 Zone 1 (pink)
 Zone 2 (green)
 Zone 3 (blue)

AFTER READING THE ABOVE RULES AND REGULATIONS, SIGN AND RETURN IT TO THE CITY OF SALEM LICENSING BOARD.

I, _____, have read the City of Salem's Rules and Regulations relative to street performing and shall abide by these rules and regulations as well as other laws of the city and the Commonwealth of Massachusetts while conducting my performance.

Date

Signature