

2023

Performing Artist Application - Busker Permit





City of Rockford, Illinois

Public Works Department

City Hall, 6th Floor
425 East State Street, Rockford, IL 61104
Phone: 779-348-7174 Fax: (815) 967-7058
www.rockfordil.gov



2022 Performing Artist Application - Busker Permit

THIS APPLICATION **MUST** BE ACCOMPANIED BY THE \$33.00 PERMIT FEE.

Applicant Name: _____ Date of Application: _____

Applicant Address: _____

Applicant Phone #: _____ Email Address: _____

Performance locations and Dates:

Brief Description of performance:

Fee Attached: Annually **\$33.00** from April 1 to March 31 of the following year

In consideration of the issuance of a permit for the use indicated above, the applicant (s) agree(s) as follows:

1. The herein permitted is restricted to the location(s) above described or within Festival Vending Zone,
2. The permit is limited specifically to the use described in this application, and to the applicant listed. The use of tables and chairs around the area is prohibited.
3. That the permit may be revoked pursuant to Section 26-34.3 of the Code for violation of Chapter 26 of the Code of Ordinances or for violation of permit conditions.
4. That the applicant will remove any equipment or props at the close of their performance. That in the event said removal is not accomplished within said time, the City is hereby authorized to remove same and charge or assess the cost to the applicant.
5. No devices for the electronic amplification or any sound are allowed Monday through Friday, 8am-5pm. No brass instruments or drums are allowed. All performers are subject to the City of Rockford noise ordinance.
6. All performances at permitted locations must be played at levels that do not significantly interfere with normal verbal communication at the nearest place of business.
7. Applicant shall maintain the area within and in proximity to their performance location in a neat, clean and hazard-free condition. The permit area shall be restored to its condition prior to the issuance of the permit.
8. Applicant shall have the permit on hand or wear on their person while performing.
9. Electrical service will not be provided by the City of Rockford.
10. If at any time the City determines these guidelines have been violated, we reserve the right to revoke the permit immediately.

The applicant(s) has/have read and understand all of the terms and conditions set forth in this application.

I, the undersigned, thoroughly understand that this is solely an application to engage in Busking/Street Performing, and is not permission to do so until all applicable ordinances of the City of Rockford including, but not limited to, Building, Zoning and Fire regulations, have been fully complied with, and this application is properly signed by the departments listed below, and an official license is issued by the Comptroller.

Signature: _____ Dated: _____

Signature: _____ Dated: _____

AGREEMENT

The undersigned agrees to indemnify, defend and otherwise hold harmless the City of Rockford and its employees, by any and all persons for any injury or claim arising out of the creation, existence or operation of or any activity in any way related to the creation, existence, or operation of Busking/Street Performing for which said permit is issued.

The undersigned further agrees to indemnify, defend and otherwise hold harmless the City of Rockford and its employees, against any and all claims, damages and liabilities which may be asserted against the City of any of its employees, by and all persons in connection with any claim or injury arising from the condition of any public property which composes or is adjacent to any public property which composes part or all of the area, to be used or otherwise occupied, for the purpose of Busking / Street Performing pursuant to said permit.

By: _____

ALL ATTACHMENTS AND INFORMATION TO BE NOTARIZED

State of Illinois

County of Winnebago

_____, is a legal resident of _____ County of _____, State of _____ being sworn before me, and that all statements are true to the best of my knowledge and belief.

Sworn and subscribed to before me this _____ day of _____, 20 _____, at _____, County of _____, and State of _____.

Notary Public _____

FOR OFFICE USE ONLY:

Date application received: _____ Received by: _____

Zoning: Approved Denied By: _____ Date: _____

Building: Approved Denied By: _____ Date: _____

Fire: Approved Denied By: _____ Date: _____

PW: Approved Denied By: _____ Date: _____

Finance: Final Action: (check one)

Approved and issued on _____ by: _____ License # _____

Returned as incomplete on: _____ by: _____

(With written explanation seven days from receipt)

Denied in writing on _____ by: _____

Acct # 1010 1000 61403

Artistic Performer (Busker) Ordinance

Sec. 26-34.3 Busker Vendors

Definition: Performer means any person or group of persons who plays musical instruments, sings, dances, speaks, or otherwise provides entertainment in the designated areas within the Festival Zone boundaries. Commercial vending of products is not considered a “performance” and as such vendors do not qualify as “performers” under this ordinance.

(a) Permit required.

Artistic Performer (Busking) vendors shall comply with Chapter 26 Division 34 of the ordinance and shall obtain a permit from the City Engineer or designee for use of the public right of way and may only be permitted in the Festival Zone boundaries.

(1)

(b) Application for permit.

Application for permits under this article shall be made pursuant to the City Engineer or designee. The application shall set forth the following:

- (1) Applicant information submitted on prescribed application along with permit fee including locations and time for performances;
- (2) Description of artistic performance along with any and all props that may be used;
- (3) Specific performance times will not be assigned by the City, nor are there actually specific performance times at any performance location. There are only positions in line (in the queue). Positions in line at a performance location are established on an honor system in which performers line up (queue) in person to establish and maintain their position in the line (queue);
- (4) A statement by applicant that said applicant will, in consideration of being issued a permit for the use of surface space, agree to hold harmless the city and the officers and employees of the city for any loss or damage arising out of the use;

(c) Every permittee under this division shall have the duty to:

- (1) Cooperate with inspection of the premises, goods or articles at any reasonable hour by the authorized agent, officer or employee of the city, or his designate;
- (2) Ascertain and at all times comply with all laws, ordinances and regulations, and all state statutes, applicable to such permitted business or premise, including, but not limited to, all building, zoning, and fire regulations, and especially to ascertain and at all times comply with any county health department rules and regulations;
- (3) Post and maintain any and all permit delivered for use on person or in a conspicuous place;
- (4) Limit the performance time to one hour when another performer is in line (and present in line) at the time the previous performer finishes their performance
- (5) During the course of performance, not call out, cry, or by the use of any device, make any noise or call attention to the sale of any goods, wares, merchandise or service whatsoever, or in any manner obstruct or interfere with the orderly flow of pedestrian traffic;

- (6) Maintain the area within and in proximity to any cart, structure or location in a neat, clean and hazard-free condition; and
- (7) No structure, cart, or equipment shall be permitted to remain after performance is complete or in the overnight.

(d) Performance Times

Artistic performers (buskers) may perform in the designated areas within the Festival Zone Area only between the hours of 9:00 a.m. and 10:00 p.m.; A performer may be required to end a performance sooner, however, if in the estimation of the City Engineer or his/her designee, the police or fire departments, a continuing performance violates the ordinance or constitutes a hazard to public safety due to crowding, non-compliance of the Fire Code or blocking of access to merchant stalls or store fronts or pedestrian access to the right of way.

(e) Performance Locations

Artistic Performers (buskers) may perform only at permitted locations on City owned right-of-way as specified in this section.

- (1) All performance locations will be marked by a colored stencil with a number inside, unless otherwise noted.
- (2) Locations with a (color?) stencil are designated quiet performance locations.
- (3) Quiet performer locations are areas where low level of vocals and instrumentation, no percussion instruments or sounds (including clapping) and non-instrumental, non-vocal performances are performed.

(f) Indemnification

All holders of a festival zone vendor permit shall indemnify and hold harmless the city from and against any and all losses, costs, damages or expenses to persons or property including property of the city, arising out of or claimed to have arisen out of such use. Furthermore, all users shall defend, at no cost to the city, any such claims or suits, provided that the city may, at its sole option, join in the defense of such claim or suit without relieving the user from any of its promises or obligations under this section.

(g) Denial of Permit

Any permit may be denied if the city engineer or designee determines the applicant does not meet the conditions of this ordinance.

(h) Termination of Permit

Any permit may be revoked or terminated by the finance director for violation of this chapter, or for violation or breach of permit conditions.

(i) Permit Periods

Artistic Performance (busker) permits shall be valid for a period of one year, from May 1 to April 31 of the following year.

(j) Fees

- (1)** Permit fee is \$33 annually.
- (2)** There shall be a non-refundable application fee in the amount established by the council. Said application fee shall not be refunded upon denial of any application, and shall be applicable towards the permit fee if granted.

Artistic Performer (busker) Locations:

Designated areas will be located throughout the festival zone areas in the near down town. See Festival Zone vending for locations