



CITY OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3515

**A BYLAW OF THE CITY OF CAMPBELL RIVER TO REGULATE STREET ENTERTAINERS
IN THE CITY OF CAMPBELL RIVER.**

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

AND WHEREAS Council wishes to provide for a regulatory scheme that is designed to encourage performance by talented Street Entertainers under conditions that minimize the potential for conflict and nuisance to the public 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 City of Campbell River;

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 City of Campbell River in open meeting assembled,

ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be cited for all purposes as “**Street Entertainers Regulation Bylaw No. 3515, 2013.**”

2. DEFINITIONS

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| “ City ” | means the City of Campbell River. |
| “ Dangerous Props ” | means items used by a Street Entertainer or Street Entertainment Group during a performance that would constitute a threat to public safety or cause injury to member of the public including, but not limited to, swords, knives, fire and chainsaws. |
| “ General Manager, Parks, Recreation & Culture ” | means the General Manager, Parks, Recreation & Culture for the City of Campbell River or their designate. |
| “ Non-Acoustical Musical Instrument ” | means a musical instrument that cannot produce a musical sound without amplification. |

“Peace Officer”	includes a member of the Royal Canadian Mounted Police and a Bylaw Enforcement Officer appointed from time to time by Resolution of Council.
“Public Place”	means any City highway, boulevard, sidewalk, square or courtyard, open to the public and includes any land, park, greenspace, to which the public has, or is permitted to have access or is invited.
“Special Event”	means, where permitted verbally or in writing by the City an activity or event undertaken in 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 or recreational event, convention, workshop, meeting, sales event, kiosk or concession.
“Street Entertainer”	includes a musician or performer who entertains the public in or adjacent to a Public Place and who receives or has an expectation of receiving a gratuity or other donation from one or more members of the public.
“Street Entertainment Group”	includes two or more Street Entertainers who entertain the public as a group in or adjacent to a Public Place and who receives or has an expectation of receiving a gratuity or other donation from one or more members of the public.

3. REGULATIONS

- 3.1 No Street Entertainer or Street Entertainment Group may perform in a Public Place other than in compliance with the provisions of this bylaw.
- 3.2 The General Manager, Parks, Recreation & Culture or a Peace Officer may, at any time, with or without written notice, require a Street Entertainer or Street Entertainment Group to vacate a location or cease to perform due to:
- (a) a report from a business owner or store owner that the Street Entertainer or Street Entertainment Group is, upon reasonable grounds, adversely impacting their business; or
 - (b) a Special Event; or
 - (c) operational or emergency activities or works related to services or lands of the City, but not limited to, maintenance, closures, repairs, installations or construction or other safety or emergency planning activities carried out by the City.
 - (d) breach of bylaw, or

- (e) a report from a property owner or residential tenant that the street entertainer or street entertainment group is, upon reasonable grounds, adversely affecting their enjoyment of their property.

3.3 Locations

- a) No person, Street Entertainer or Street Entertainment Group shall perform:
 - i) within two (2) metres of any entrance or exit to a store or business and is not to block the store entrance;
 - ii) within five (5) metres of an entrance or exit to a bank, credit union, Trust Company or automated teller machine;
 - iii) other than outdoors.

3.4 Time

- a) No person, Street Entertainer or Street Entertainment Group shall perform:
 - i) in any location before 10:00 am or after 10:00 pm seven days a week;
 - ii) in any location for a time exceeding two (2) hours per day.

3.5 Amplification

- a) No person, Street Entertainer or Street Entertainer Group shall perform:
 - i) with any amplification except with non-acoustical instruments;
 - ii) with any amplification other than with battery operated amplifiers that do not exceed 15 watts;
 - iii) with any amplification that utilizes more than one speaker;
 - iv) with any amplification that is audible beyond 75 feet from the performance.

3.6 General

- a) No person, Street Entertainer or Street Entertainer Group shall:
 - i) perform or continue to perform when directed by the General Manager, Parks, Recreation & Culture or a Peace Officer to vacate a location;
 - ii) perform without removing all litter and/or garbage generated by the performance;
 - iii) obstruct the free passage of pedestrian or bicycle traffic in any way as determined by a Peace Officer;
 - iv) solicit for money, verbally or otherwise, in any way other than having an open container for donations;
 - v) sell any recordings or other depictions of their own performances unless doing so during a performance;
 - vi) perform at any location within an area specified in a Special Event permit, during or for the duration of any Special Event unless expressly permitted to do so by the General Manager, Parks, Recreation & Culture or the Special Event organizer;
 - vii) use profanity;

- viii) consume alcohol or illegal drugs or be under the influence of alcohol or illegal drugs during performances;
- ix) use props in a manner that could injure or cause damage to a member of the public; or,
- x) use Dangerous Props.
- xi) perform so as to be audible beyond 75 feet from the performance.

Amd Bylaw 3524 Sep/13, Amd Bylaw 3852 Mar/22

4. PENALTY

Every person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
- (b) fails to comply with any of the provisions of this bylaw;
- (c) neglects or refrains from doing anything required under this bylaw; or
- (d) who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw;

is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to a fine not less than \$5,000 and a maximum of \$50,000, or to imprisonment for not more than six months, or to both.

For continuing offences, each day that such violation is caused, or allowed to continue, constitutes a separate offence.

Read a first time on the	28th	day of	May,	2013
Read a second time on the	28th	day of	May,	2013
Read a third time on the	28th	day of	May,	2013
Adopted on the	11th	day of	June,	2013

Original signed by Mayor Jakeway

MAYOR

Original signed by T. Bate

DEPUTY CITY CLERK