

AN ORDINANCE TO CREATE A NEW CHAPTER 205
OF THE CODE OF THE CITY OF SARATOGA SPRINGS, NY
ENTITLED “STREET PERFORMANCES”

BE IT ORDAINED by the City Council of the City of Saratoga Springs, NY, as follows:

SECTION 1: A new Chapter 205 of the Code of the City of Saratoga Springs, NY, entitled “Street Performances” is hereby created to read:

CHAPTER 205
STREET PERFORMANCES

205-1 STATEMENT OF PURPOSE

The City Council of the City of Saratoga Springs finds that performances by various artists in public places enhance our city’s environment and character. Such artistic efforts are both a valuable cultural experience and a forum for the expression of ideas in a free country. This chapter’s purpose is to establish regulations that encourage street performances while preserving, as fully as possible, the reasonable expectations of citizens to enjoy peace and quiet in their homes, in their places of business, and in public places.

205-2 DEFINITIONS

PERFORM – To engage in any musical, theatrical, aesthetic or artistic effort or expression, in a public place, in a manner reasonably intended to attract the attention of others.

PERFORMER – a person who performs.

PUBLIC PLACE – any sidewalk, street, park, public way, or other similar place to which the public has access.

205-3 REGULATIONS

A performer shall not, when performing:

- A. Generate any sound, either intermittent or constant, that exceeds a measurement of seventy-five (75) decibels measured at a distance of twenty (20) feet from the place of performance
- B. Perform within fifty (50) feet of the area covered by any special event for which a permit has been issued under City Code chapter 199A

- C. Perform within ten (10) feet of a street corner, a bus stop sign, a crosswalk, a curb cut, or a driveway.
- D. Perform within ten (10) feet of a designated handicapped parking space.
- E. Perform within ten (10) feet of the outer edge of an entrance to a building or structure at any time that such entrance is open for use by the public or by persons who may lawfully enter therein.
- F. Perform at any time earlier than 10:00 AM, or later than 12:00 PM Monday through Friday and 1:00 AM on Saturday and Sunday.
- G. Use any electrical cords.
- H. Use any flame, smoke, sharp implement, real firearm or replica firearm.
- I. Use any animal in his or her performance. For purposes of this subsection the term “animal” shall mean any non-human genus or species.
- J. Display any sign, except that he or she may display one paper or cardboard sign not larger than 18 inches by 18 inches, in a manner that does not interfere with pedestrian traffic.
- K. Block or obstruct the free and safe movement of pedestrians and vehicles through and across public ways. If a sufficient crowd should gather so that such free and safe movement is blocked or obstructed, any police officer or fire inspector shall have authority to direct the performance to cease or move to another location until safe passage is restored.

205-4 ADDITIONAL REGULATIONS FOR THE T-6 BUSINESS DISTRICT

In addition to and not in limitation of the regulations in section 205-3 above, no performer who performs in the T-6 Central Business District shall perform on a sidewalk more than ten (10) feet from the curb, except when his or her performance is included as part of a special event for which a permit has been issued under City Code chapter 199A.

205-5 PENALTIES FOR OFFENSES

Any person who violates any provision of this chapter shall, upon conviction, be subject to the fines and penalties set forth in Chapter 1, General Provisions, Article III, of the City Code. The Department of Public Safety is hereby authorized to enforce the provisions of this chapter. The Police Department is authorized to issue appearance tickets in accordance with Article 150 of the Criminal Procedure Law for violations of this chapter.

SECTION 2. This ordinance shall take effect immediately upon publication as required by the Code of the City of Saratoga Springs.

Dated: