

The Corporation of the City of Brockville

Bylaw Number 038-2023

Being a Bylaw to licence, govern, and regulate Buskers in the City of Brockville

Whereas Sections 150 and 151 of the Municipal Act, 2001, S.O. 2001 c.25 (herein, the 'Act') permits a municipality to provide for a system of licences with respect to a business and the specific powers available to the municipality to regulate a business and suspend a licence; and

Whereas the Council for the City of Brockville has deemed it advisable to licence buskers;

Now Therefore the Council of the Corporation of the City of Brockville hereby enacts as follows:

Definitions

1. In this Bylaw:
 - a. "Busker" shall mean any person and his/her/their employees or agents who entertain in a public space and seek donations for performances.
 - b. "Busking" includes but is not limited to the following activities: acting, singing, playing musical instruments, juggling, magic, dancing, puppetry and reciting.
 - c. "Manager of Cultural Services" means the Manager of Cultural Services of the Corporation of the City of Brockville or designate.
 - d. "Corporation": shall mean the Corporation of the City of Brockville.
 - e. "Council" means the Council of the Corporation of the City of Brockville.

General Provisions

2. Every busker operating within the City of Brockville must obtain a licence from the Manager of Cultural Services before beginning any performance within the City of Brockville.

3. This bylaw does not apply to buskers performing at municipally sanctioned events, or events organized and hosted by a charity or non profit community organization so long as they are participating with the permission of the event organizers.
4. There is no fee to obtain a licence.

Licenses

5. A busker's licence may be issued by the Manager of Cultural Services when the applicant has complied with all of the following requirements:
 - a. [Complete and submit an application form](#);
 - b. Sign the Code of Conduct;
 - c. Provide proof they meet the minimum age requirement. (Minimum age to perform in Brockville is 14 years of age. Buskers 14 to 16 years of age must be accompanied by a parent/guardian at all times); and
 - d. Participate in an audition process.

General Regulations

6. Busking is permitted from 10:00 am to 9:00 pm each day. Buskers are required to rotate locations every one (1) hour and may only begin on the hour.
7. If no other performer is waiting, a Busker may remain at the same location for one (1) additional hour.
8. Busking locations are identified as 'Busk Stops' at the following locations:
 - a. 235 King Street West (Brockville Art Centre)
 - b. South side of King Street West (directly north of the Home Street parking lot)
 - c. King Street and Courthouse Avenue (northeast corner)
 - d. Courthouse Green

- e. Blockhouse Island (2 locations: east and west)
 - f. Hardy Park (Water Street West)
 - g. Market Street West/City Hall
9. Licenses must be displayed at all time during their performance.
 10. Only one street performance is permitted per location at one time.
 11. Busking will not be permitted during special events/festivals without prior permission from the City or event organizer.
 12. Maximum number of performers per group shall not exceed 5 people.
 13. Buskers are permitted to sell merchandise relating to their art or performance.
 14. Performers must adhere to the [City's Noise Bylaw 076-2021](#).
 15. High risk or unsafe performances which may put the public and/or performers at risk are not permitted.
 16. All performances must be suitable for a general family audience.
 17. Buskers may not use drugs or alcohol or appear intoxicated.
 18. Buskers must demonstrate a reasonable degree of proficiency in their performances.
 19. Buskers may receive donations but must not charge a minimum or set fee for their performances.
 20. Aggressive or persistent solicitation of donations is not permitted.
 21. Buskers or their audiences must not block sidewalks, paths, bicycle routes and roads.
 22. The City of Brockville reserves the right to remove any sign, banner or display that obstructs or interferes with pedestrian or traffic circulation or that interferes with normal business activities of any merchant.

23. The City of Brockville reserves the right, at their discretion, to halt performances for any reason at the request of the Brockville Police Service or Bylaw Enforcement.
24. A busker's license is valid from May 1st to October 31st each year.

Bylaw

25. If any provision or requirement of this bylaw or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this bylaw, or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be law shall be separately valid and enforceable to the fullest extent permitted by law.
26. Every person who contravenes any provision of this bylaw is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.
27. This bylaw shall be known as the "Buskers Bylaw".
28. This bylaw shall come into force and effect on the date of passing.

Given under the Seal of the Corporation of the City of Brockville and Passed this 9th day of May 2023