

RESOLUTION No. 2020-

AMENDMENT OF CHAPTER 342 OF THE CITY OF NIAGARA FALLS CODIFIED ORDINANCES ENTITLED "STREET PERFORMANCE ORDINANCE"

BY:

Council Member Kenny Tompkins

BE IT RESOLVED by the City Council of the City of Niagara Falls, New York that Chapter 342 of the Codified Ordinances entitled "Street Performance Ordinance" is hereby amended to read as follows and shall take effect on January 1, 2021.

CHAPTER 342

STREET PERFORMANCE ORDINANCE

342.01 Definitions.

342.02 Prohibition.

342.03 Permitted Performances **and Fees**

342.04 Legal Conduct.

342.05 Exclusion of Public Areas.

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342.03 PERMITTED PERFORMANCES **AND FEES**.

(a) Performances may take place in the following locations:

1. In public areas, except those excluded by the City Council or the Superintendent of Police pursuant to Section 342.05 of this Chapter;
2. On private property, if the performer has obtained written permission of the owner of such property or other person with authority to grant such permission with respect to such property; and
3. In a public area where an authorized fair or public festival is being conducted, if the performer has obtained the written permission of the sponsor of such fair or festival.

Kennedy _____ Spanbauer _____ Tompkins _____ Touma _____ Voccio _____

(b) Any performer or group of performers must obtain a license from the Niagara Falls City Clerk prior to the scheduled performance and shall pay a fee of \$25.00.

[(b)] (c) A performance may take place between the hours of 10:00 A.M. and 11:00 P.M. (Amended 09/19/94)

[(c)] (d) It shall be unlawful for a performer, by electronic or other means of amplification, to make or continue to make any sound or noise in excess of a sound level of 50 db(a) measured at or adjusted to 50 feet from the source of amplification or sound. (Amended 09/19/94)

[(d)] (e) A performer may not block the passage of the public through a public area except as permitted by the sponsor of an event under paragraph (a) of this Section or as otherwise allowed by the City. If a sufficient crowd gathers to see or hear a performer such that the passage of the public through a public area is blocked, a police officer may disperse the portion of the crowd that is blocking the passage of the public, but said police officer shall not cause the performer to leave the location. (Amended 09/19/94)

[(e)] (f) No performer or group of performers shall perform at a distance of less than 100 feet from another performer or group of performers that already is performing.

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Bold and Underline Indicate Additions
Bold and [Brackets] Indicate Deletions