

## Penticton Buskers Program

### **Busker:**

A single or group of musicians or performers such as dancers, jugglers, magicians, or others who actively entertain the public on or adjacent to a street or park defined in this program and who receives or has an expectation of receiving a gratuity or other donation from one or more members of the public.

### **1.0 General Guideline for all performers**

Only approved and licenced buskers are permitted to perform in the Penticton Buskers Program.

- a) Buskers must demonstrate a reasonable degree of proficiency in their performances. The City of Penticton (hereinafter referred to as the 'City') reserves the right to determine the standard of proficiency and suspend performing privileges if complaints regarding a busker are received and/or if the busker is unable to consistently maintain the necessary standard. Suspended buskers will be required to audition at the City's convenience before receiving consideration to perform again in the Penticton Buskers Program.
- b) Buskers must have a neat and clean appearance.
- c) Buskers must be entertaining in their own right and include, but are not limited to musicians, dancers, jugglers, magicians and circle shows. Buskers, for the purpose of these guidelines, do not include face painters, portrait artists, painters, crafts people, etc. or any person who provides a service or produces a product.
- d) Buskers under the age of 18 years must have a parent or guardian co-signing their registration form.
- e) Buskers under the age of 16 years must have a responsible adult accompanying them at all times while performing in the Penticton Buskers Program.
- f) Buskers must bring their valid busking licence and clearly display their licence during all performances. Inspection of the licence and photo identification may be requested by City staff to verify licence validity.
- g) Buskers must conduct themselves in a safe, professional and cooperative manner and abide by the Busker Guidelines in order to receive and maintain permission to perform in the Penticton Buskers Program. Undesirable conduct or failure to uphold the Busker Guidelines will lead to temporary or permanent suspension of performing privileges. Such suspension to be determined at the discretion of the City.
- h) Buskers must ensure that they are legally permitted to perform in Canada and obtain all permits, clearances, licences and performance rights to material presented.
- i) Buskers must abide by the [City of Penticton's Good Neighbour Bylaw](#).

- j) Buskers must fully cooperate with their fellow Buskers, merchants and City staff and not interfere with, obstruct or inconvenience the performances of another registered busker.
- k) Buskers acknowledge that the safety and enjoyment of the public is of paramount concern and must always ensure their performance does not directly or indirectly compromise the safety and enjoyment of residents, businesses or visitors.
- l) Buskers must ensure free and safe access for pedestrians along any pathways or thoroughfares near the performance location. Performers must ensure that they do not block business doorways during business hours, bus stops, fire escapes, etc.
- m) Buskers must keep the location clean and ensure that their use of the location does not pose a threat to public safety and that the site is left in the condition found prior to use.
- n) Buskers may receive donations for their performances, but must not charge a minimum or set fee for performances. Aggressive or persistent solicitation of donations is not permitted.
- o) Buskers may not sell or distribute products or merchandise without City permission. Permission will only be granted for the sale of recordings of the buskers own work available for sale only during their performance.
- p) Buskers may not advertise, endorse or promote products or sponsors. Signs, banners or displays that are not integral to the performance are not permitted. The City reserves the right to remove any sign, banner or display that obstructs or interferes with pedestrian or traffic circulation, interferes with normal business activity or obstructs views of other signs.
- q) Buskers must not act or represent themselves as agents or employees of the City.
- r) Performances shall only occur at the designated locations. The City reserves the right to restrict the locations and times available. The City will provide reasonable advance notification of closures whenever possible.
- s) Busking activity must operate at a level so that the sound is not obtrusive above background levels to the degree that a passer-by would have to strain their voice to be heard above the sound. Only low-level amplification is permitted. Sound levels from a busking performance shall at no time disrupt business trading including retail and dining establishments, affect workplace performance or detract from public appeal.
- t) Profane or vulgar language or acts which are not consistent with family oriented entertainment are not permitted.
- u) Consumption of alcohol or illegal drugs or performing under the influence of alcohol or illegal drugs is not permitted. Smoking/vaping during performances is not permitted.
- v) The use of props, including sharp or dangerous props such as knives, hatchets, chainsaws or flaming objects is not permitted. The use of props in a manner that could injure or cause harm to a member of the public or cause damage to public or private property is not permitted.
- w) The City reserves the right to halt performances that restrict or disrupt the normal business activity, safety or enjoyment of the environment for merchants, customers and visitors.
- x) The busker agrees to indemnify and save harmless the City from all costs, loss, sustained or caused by, or arising out of the buskers' performance and behavior in the Penticton Buskers Program.

Failure to adhere to the guidelines may result in temporary or permanent suspension of performing privileges.

## 2.0 Application & Licensing

Buskers must apply to busk in the City of Penticton. Buskers will be granted permission in the form of a Busking Licence. Busking Licences are non-refundable and non-transferrable.

Groups or groups whose members wish to have the option to perform in different configurations (ie as individuals and other times as a group) must purchase individual licences for all group members. Licences are not transferrable.

Monthly and full season licences available:

- 1 Month Licence= \$47.00
- Full Season (May 15-October 15) Licence = \$123.00

### Three easy steps!

#### Step 1: Submit Your Application

Complete and submit the Penticton Buskers Program Application form to [rec@penticton.ca](mailto:rec@penticton.ca) or drop off at the Penticton Community Centre c/o Manager of Recreation, Arts & Culture.

Applications can be found at [www.penticton.ca/busking](http://www.penticton.ca/busking) or pick up a copy at one of the following locations:

- City Hall - 171 Main St
- Penticton Community Centre - 325 Power St

#### Step 2: Audition & Application Approval

When your application is received, you will be contacted by City staff to arrange an audition. Auditions can be completed in the form of pre-recorded video submissions, live video conference or in person.

#### Step 3: Register for a Licence

Once your application is approved, you will be contacted by City staff to register and pay for your Busking Licence. Applicants must present photo identification when picking up their licence.

The City reserves the right to deny registration without valid identification. The City reserves the right to limit the total number of licences available; licences may also be restricted to certain instruments and performance types.

## 3.0 Locations and Timing

1. 1099 Lakeshore Dr W @ S.S. Sicamous
2. Lakeshore Dr @ Power St
3. Lakeshore Dr @ Winnipeg St
4. Main St @ Lakeshore Dr (After 2:00pm on Saturdays. No busking during the Farmer's Market.)
5. Nanaimo St @ Main St
6. 300 Block Main St

Busking stops are identified with appropriate signage. Performers must busk within 10 ft of the sign.

Performers are not permitted to use public seating tables or chairs for performance.

Power is not provided at busking locations.

Performances are permitted to be a maximum of 60 minutes in length at any one location. After 60 minutes buskers must move to a different location for at least a 60 minute period.

Busking performances may take place between 10:00am – 8:00pm seven days per week from May 15-October 15.

Specific restrictions or blanket cancellation of busking may be imposed during planned major events or public holidays throughout the year. In the case of an organized event, performers must not attempt to associate themselves with that event unless advised or invited by the event organizer.

#### **4.0 Enforcement of Guidelines**

Any and all level of guideline enforcement is entirely at the discretion of the City. It is important that buskers read and understand all of the busking guidelines and it is the busker's responsibility to become familiar with the rules and guidelines. For infractions the busker may be suspended for the remainder of their licence term. The busker will not be reinstated until they have met with a City representative. It is the responsibility of the suspended busker to schedule the meeting.

Certain behavior will result in immediate suspension or registration restriction:

- a) Physical or verbal abuse of anyone in the City, including fellow buskers; and
- b) Any inappropriate or dangerous behavior or performance. Inappropriate behavior includes but is not limited to, swearing, yelling, intoxication, intimidation, belligerence, harassment, manipulation, etc. Buskers may receive permanent suspension of performance privileges if they show continued disrespect for the program. The City or its authorized representative such as a Bylaw Enforcement Officer or RCMP member may suspend or cancel a licence. Should a licence be suspended or cancelled, the City will notify the licence holder in writing within 72 hours and specify the reason for the suspension or cancellation.

#### **5.0 Busker Program Management**

The City's Recreation & Culture Department manages the Penticton Buskers Program. All inquiries should be directed to:

Manager of Recreation, Arts & Culture  
rec@penticton.ca

The City retains the right to change or amend the Guidelines at its own discretion.