Street Artists Rules and Regulations

The following rules and regulations are promulgated in accordance with City Code Sec. 19-23.

1. A "street artist" is a person who is engaged in the creation of a work of art or who offers for sale a work of art created by the artist who is offering it for sale.

2. Works of art protected by the First Amendment and thus permitted to be sold by the artist without a permit in Portland include expressive items such as paintings, photographs, prints and sculptures. Performance art is also protected by the First Amendment.

3. Street artists may create works of art or sell their works of art on city property with the following exceptions:

   a. Street artists shall not operate within any area designated as a sidewalk sale, street festival, farmers' market, or other special event, except as authorized by a street and sidewalk occupancy permit;

   b. Street artists shall not operate within or adjacent to the designated fireboat evacuation zone within Bell Buoy Park (which includes the sidewalk between the Park and Commercial Street);

   c. Street artist activities may not pose a public safety hazard.

   d. Street artists shall not operate on the grounds of any public school unless it is a school authorized function;

   e. Street artists shall not operate on any sidewalk or other location so as to impede the free passage of vehicles or pedestrians, obstruct the entrance to or exit from private property, jeopardize the public safety or otherwise inconvenience the public, including preserving a minimum of four feet of open space for the free passage of pedestrians;

   f. Street artists shall not operate on the street or use public benches, monuments or structures to display artwork, and shall have **a** free standing display rack or **a** table to display artwork. The artist's entire display, including rack or table and chair shall be no greater than twelve (12) square feet; and

   g. Street artists shall not operate in a manner that uses private property adjacent to the sidewalk to display artwork without the permission of the property owner.

4. Blacksmith performances are further regulated by the following safety provisions:

   a. There will always be at least one safety spotter present during such performance;
   b. There will always be at least one fire extinguisher and one bucket of water on hand;
   c. A fence establishing a five-foot buffer between the public and the performer must be erected;
   d. There will be at least a ten-foot setback maintained from any combustibles;
   e. There will be at least a 25-foot setback maintained from any building.
   f. Blacksmiths may not perform in Bell Buoy Park.

5. Fire Performances are further regulated by the following safety provisions:

   a. There will be a 25-foot buffer maintained between the performer and the audience and any combustible material;

b. Only one person may perform at a time;
c. There will be at least two safety spotters at all times, each with a fire suppression blanket;
d. Performers may not wear clothing made of synthetic materials;
e. There will be at least one five gallon bucket of water and one fire extinguisher on scene at all times.
f. No one impaired by drugs or alcohol may perform.

4. The following rules are applicable to the location of street artists near the Farmer's Markets:

a. On Mondays and Wednesdays from 7:00 am to 2:00 pm Monument Square and Monument Way are reserved for the Farmer's Market;

b. On Saturdays from 7:00 am to Noon at Deering Oaks Park, Farmer's Market Road and Jenny Lane are reserved for the Farmer's Market;

c. During Farmer's Market hours at Monument Square, street artists may only be located within the "sidewalk portion" of Monument Square.

- The sidewalk portion of Monument Square is defined as the area between the edge of the buildings located on the square that house such businesses as David's and the Public Market House and the parallel row of light poles.
- Street artists may set up in this area, provided that a minimum of four feet of open space is preserved for the free passage of pedestrians within the sidewalk area and the entrances to the businesses on the square are not obstructed.
- Street artists must also allow for a distance of four feet between their set up and the closest farmer's set up, so as to allow for the free passage of pedestrians around the farmers' displays.
- Street artists are prohibited from setting up elsewhere in Monument Square during Farmers' Market hours, including Monument Way and the side of the Monument Square that abuts Federal Street.

d. During Farmer's Market Hours at Deering Oaks Park, street artists must be located either on the southerly side of the sidewalk that runs parallel to the southern edge of Farmers' Market Road, or at least five feet away from the edge of Jenny Lane and the northern edge of Farmers' Market Road.

Dated:
6/27/13

/s/ Mark H. Rees
Mark. H. Rees, City Manager