

The motion *Prevailed*.

Journal (September 28, 1983).

The City Clerk submitted the printed Official Journal of the Proceedings of the regular meeting held on Wednesday, September 28, 1983, at 10:00 A.M., signed by him as such City Clerk.

Alderman McLaughlin moved to *Correct* the said printed Official Journal by making a number of deletions and additions to the ordinance appearing on pages 2260 thru 2262.

The motion *Prevailed*, and the following is said ordinance as corrected.

Chapter 36.1 Chicago Street Performance Ordinance

36.1-1 Definitions

The following terms are defined for the purpose of this Chapter as follows:

(a) "Perform" includes, but is not limited to the following activities: acting, singing, playing musical instruments, pantomime, juggling, magic, dancing and reciting.

(b) "Performer" means an individual who owns a permit issued pursuant to the provisions of this Chapter.

(c) "Public Areas" includes sidewalks, parks, playgrounds, above-ground and underground transit platforms, and all other public ways located in the City of Chicago.

36.1-2 Prohibition

(a) No person may perform in a public area without having obtained a permit issued under Section 36.1-3 of this Chapter.

(b) Any person who performs in a public area without a permit issued under Section 36.1-3 of this Chapter shall be fined not more than \$25.

36.1-3 Permit

(a) A permit shall be issued by the Department of Revenue to each applicant therefor in exchange for a completed application and a fee of \$10 subject to the provisions of Section 36.1-8 of this Chapter.

(b) A completed application for a permit shall contain the applicant's name, address and telephone number and shall be signed by the applicant.

(c) A permit shall be valid from the date on which it is issued through December 31 of the year in which it is issued.

(d) A permit shall contain the name and permit number of the applicant plus the year in which the permit is valid.

(e) A permit shall be non-transferable.

(f) Upon issuing a permit the Department of Revenue shall also issue to the performer a printed copy of this Chapter.

36.1-4 Display of Permit

A performer shall carry a permit on his or her person while performing and shall display said permit or card on his or her person during said performance.

36.1-5 Permitted Performance

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

In public areas, except those excluded by the City Council or the Superintendent of Police pursuant to Section 36.1-7 of this Chapter:

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

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.

(b) A performance may take place at any time on a transit platform if said performance is not audible at any residence: otherwise, performances may take place at the following times:

Between the hours of 8:00 A.M. and 10:00 P.M. on Mondays through Thursdays:

Between the hours of 8:00 A.M. Fridays and 11 P.M. on Fridays:

Between the hours of 9:00 A.M. Saturdays and 11 P.M. on Saturdays:

Between the hours of 10:00 A.M. and 10:00 P.M. on Sundays.

(c) A performer may not use electric or electronic amplification except by special permit issued by order of the City Council of the City of Chicago.

(d) 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 otherwise allowed by the Commissioner of the Department of Streets and Sanitation. 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.

(e) 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.

36.1-6 Legal Conduct

(a) A performer may accept contributions of money or property at a performance, provided that no sign requesting contributions shall exceed 12" x 18" in size. Contributions may be received in any receptable.

(b) A performer who performs and accepts contributions under the provisions of this Chapter shall not be committing disorderly conduct under Section 193-1 of the Municipal Code of Chicago by virtue of those acts.

36.1-7 Exclusion of Public Areas

(a) A public area may be excluded from performances

By majority decision of the City Council,

or

By decision of the Superintendent of Police in the case of an emergency: provided that no public area may be excluded from performances by the Superintendent of Police under this subparagraph for more than 7 days.

36.1-8 Revocation of Permit

(a) The Department of Revenue may suspend a permit for not more than 30 days if any information contained in the application thereof is found to be false.

(b) The Department of Revenue may suspend a permit for not more than 60 days or revoke a permit if a performer violates any of the provisions of this Chapter.

(c) After revocation of a permit, the former performer may not obtain a new permit until such date as the Department of Revenue may determine, provided that such date shall not be more than one year after the date of revocation.

(d) No permit may be suspended or revoked unless the Department of Revenue holds a public hearing concerning that suspension or revocation, written notice of which has been given to the performer not less than 7 days prior to said public hearing. Such notice shall set forth the facts constituting the basis for the proposed suspension or revocation.

(e) Upon suspension or revocation of a permit, a performer may appeal the decision of the Department of Revenue before the Mayor's License Commission which shall have the power to reverse or modify the decision of the Department of Revenue, after holding a public hearing, in accordance with their rules and as presently promulgated.

36.1-9 *This Ordinance shall take effect from date of its passage, and shall terminate two (2) years after date of its passage.*

Thereupon Alderman Burke moved to Approve said printed Official Journal as corrected and to dispense with the reading thereof.

The question being put, the motion *Prevailed*.