

**BY-LAW No. 2012-055
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO AMEND SCHEDULE "H" OF BY-LAW NO. 2010-064, TO
LICENCE BUSKERS WITHIN THE TOWN OF COLLINGWOOD

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may licence and regulate any business, wholly or partly carried on within the municipality, even if the business is being carried on from a location outside the municipality;

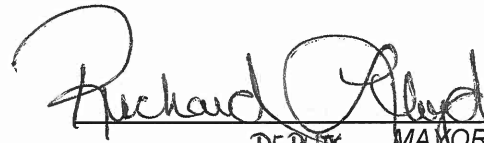
AND WHEREAS the Council of the Town of Collingwood passed and enacted By-law No. 2010-064, being a by-law to provide for the licensing and regulation of various businesses in the Town of Collingwood including but not limited to Buskers;

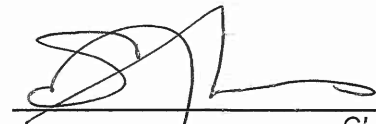
AND WHEREAS Council deems it expedient to amend Schedule H – Buskers of By-law No. 2010-064;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Schedule H- Buskers of By-law No. 2010-064 be hereby deleted and replaced with Schedule "A" attached hereto;
2. **THAT** this By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED AND PASSED this 30th day of April, 2012.


DEPUTY MAJOR


CLERK

Schedule "A" of By-law No. 2012-055

SCHEDULE H - BUSKERS

Applicable to	<p>Buskers who perform in the following areas:</p> <ol style="list-style-type: none"> 1. 44 Hurontario Street known as the Collingwood Federal Building. Buskers may perform on the east side of the sidewalk adjacent to the curb. 2. 104 and 108 Hurontario Street. Buskers may perform on the sidewalk between these two buildings. 3. 186 Hurontario Street known as Sheffer Court. Buskers may perform on the east side of the sidewalk adjacent to the curb. 4. 55 Ste. Marie Street, Town Square (in front of the Collingwood Public Library). 5. Collingwood Shipyards Public Square. Buskers may perform in the square adjacent to the waterfront at the end of Hurontario Street. <p>Busking is not permitted in all other areas of the Town. Busking at transit stops, in transit vehicles or other areas is not permitted.</p>
Definitions	<p>"Busker ID" means valid identification issued by the Town relating to a Busker.</p> <p>"Buskers" means an individual who undertakes Busking.</p> <p>"Busking" includes, but is not limited to the following activities: acting, singing, playing musical instruments, juggling, magic, dancing, puppetry and reciting. Busking does not include face painting or hair wrapping.</p>
Exemptions	<p>Buskers are not permitted where areas or events have "special event permits" as approved through the Town unless authorized by the designated event organization or organizer. When event coordinators schedule buskers or entertainers to perform during special events or occasions, they are exempt from this by-law and fall under the conditions of the Town's special events permit. The requirement for a licence to carry out Busking does not apply to a performer who is registered through a "special event permit application" for events as approved by the Town.</p> <p>The Downtown Farmers' Market may permit Buskers during the operation of the market, which would be exempt from this By-law.</p> <p>The Town Crier is exempt from this By-law.</p>
Licence Fees	<p>\$25.00 annually for residents</p> <p>\$50.00 annually for non-residents</p>
Application Circulated to	<ol style="list-style-type: none"> 1. Ontario Provincial Police 2. Municipal Law Enforcement Department 3. Parks, Recreation & Culture 4. BIA – Business Improvement Area – Management
Special Conditions	<p>In addition to the General Regulations set out in Part 4 of this By-law, the following special conditions apply to every Busker:</p> <ol style="list-style-type: none"> 1. Applicants are required to audition before an ad hoc committee of qualified jurors. (Note: auditions are not intended to be an entire set.) Applicants will be notified within three (3) working days whether their audition has been successful. 2. Prior to obtaining a Busker ID, Buskers will be required to complete a Town liability waiver and sign the Buskers' Code of Conduct. 3. Buskers shall be permitted to sell goods directly related to their busking which may include CDs, merchandise or any other types of items related to the Busking. The Busking licence will include a transient sales licence, with no additional fee. 4. Busking is permitted year round from 10:00 a.m. to 9:00 p.m.

	<ol style="list-style-type: none"> 5. Maximum performance time is one (1) hour per Busking location within a four (4) hour time frame. Performance times begin at the top of the hour. 6. Maximum number of performers in a single group will not exceed five (5) people. 7. Buskers under the age of 16 must have an adult accompanying them at all times. 8. Amplification is permitted with the following special conditions: <ol style="list-style-type: none"> i. The sound level must be reasonable, within limits set in Town By-laws and intended for an audience within 25 feet. ii. If neighbouring businesses or residents complain about the sound level, it must be lowered. iii. Equipment, cables and cords must meet current safety standards. Cords or other equipment must not cross roadways or pedestrian pathways or in any way interfere with the safe and convenient movement of pedestrians. iv. The Town reserves the right to disconnect any equipment that is likely to cause injury or damage. v. Repeated failure to comply with these conditions will result in the busker's licence being revoked. 9. No high risk or unsafe performances, which may put the public and/or the performer at risk (use of knives, fire, etc. are not permitted). 10. During downtown events or festivals (i.e. Elvis Festival) or, while paid performers are working, Busking is not permitted on Hurontario Street. 11. Sidewalks, paths, bicycle routes and roads must not be blocked by either performers or their audiences. 12. All performances must be suitable for a general family audience rating. Appropriate clothing must be worn at all times. 13. The comfort or safety of others must not be jeopardized. 14. Failure to display a valid Busker ID or failure to follow these guidelines may result in any and all Busking and privileges being removed.
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