



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#15-0328

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: April 7, 2015

TITLE: Ordinance Regulating and Permitting Street Performers and Street Artists
(Riverwalk/Central Beach Area)

Recommendation

It is recommended the City Commission adopt an ordinance regulating and permitting street performers and street artists within the Riverwalk District and along portions of the west sidewalk along A1A in the Central Beach.

Background

The Riverwalk District Plan was initiated as an effort to improve and enhance the Riverwalk and the blocks north and south of the New River by strengthening and expanding the identity and presence of arts, culture and entertainment uses within the Riverwalk District. The Plan recommended revisions to City ordinances allowing vendors/busker services to activate the Riverwalk, parks, and right-of-ways.

Street performers and street artists are currently regulated under the City's mobile vendor ordinance. The existing ordinance does not adequately address the types of activities typically performed by artists and performers. Adopting regulations specifically addressing these types of activities will better clarify the expectations and requirements for street artists and performers to operate within the City.

By evaluating best practices in other cities, collaboration between various City departments and participating in a walking tour of the Riverwalk and sidewalk along A1A to gain a better understanding of the space artists and performers will be utilizing staff was able to determine the appropriate areas where these types of activities could take place. Further, these efforts helped inform recommendations regarding the minimum space necessary for safe pedestrian access, provisions for the removal or relocation of artists and performers in emergency situations as deemed necessary by the City Manager, and various other elements to ensure these types of activities are successful in the activation of these areas with limited negative impacts.

Therefore, as part of the City's effort to activate the Riverwalk and the Central Beach area by introducing arts and cultural elements into public places that will create a vibrant interactive experience, staff is proposing adding language to establish criteria for these types of uses as well as an associated permitting process.

Some highlights from the proposed ordinance modification include:

- Permitting artists and performers within the Riverwalk District and along portions of the west sidewalk along A1A in the Central Beach.
- Maintaining a three foot area around the artist/performer for the safe passage of pedestrians.
- Prohibiting locations that would inhibit ingress and egress to and from buildings or obstruct the flow of pedestrian traffic.
- Prohibiting the sale of food or beverages.
- Prohibiting the application of tattoos, or body piercings.

The permits will be processed and issued by the Department of Sustainable Development. The permit application will request the name, address, telephone number, photograph of the applicant and a description of the street art or street performance. Once issued, the permit will be non-transferable and must be visibly displayed when on public property.

At the request of the City Commission the proposed ordinance was amended to provide that:

- No street performer or artist shall approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with either imminent bodily injury or the commission of a criminal act upon the person or another person, or upon property in the person's immediate possession.
- No street performer or artist shall request money or something else of value after the person solicited has given a negative response to the initial request.
- No street performer or artist shall engage in conduct that would reasonably be construed as intended to intimidate, compel or force a solicited person to accede to demands.
- No street performer or artist shall touch a person without explicit permission.

Resource Impact

The fiscal impact will depend on the number of applicants for permits. Current personnel will be able to absorb the additional workload required to review, process and issue a permit.

Strategic Connections:

This item is a *Commission Annual Action Plan* priority, included within the Policy Agenda, advancing the Riverwalk District Plan.

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Public Places Cylinder of Excellence, specifically advancing:

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas, and parks.
- Objective 1: Improve access to and enjoyment of our beach, Riverwalk, waterways, parks, and open spaces for everyone.
- Initiative 6: Accomplish the Riverwalk District Plan Implementation Matrix to activate and enliven the area and increase access.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Here*.

Attachment:

Exhibit 1 – Proposed Ordinance

Prepared by: Yvonne Redding, Planner II

Department Director: Jenni Morejon, Sustainable Development