

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-244-164 of the Municipal Code of Chicago is hereby amended by deleting the struck-through language and inserting the underscored language as follows:

4-244-164 Duties – Prohibited Acts – Other requirements.

(a) Except as provided in subsections (f) and (g) of this section, a performance may take place in any public area, but only between the hours of 10:00 a.m. and 8:00 p.m. on Sundays through Thursdays and 10:00 a.m. and 10:00 p.m. on Fridays and Saturdays.

(b) A performer may not block the passage of the public through a public area. 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 that portion of the crowd that is blocking the passage of the public, or may order the performer to cease performing at that location until the conditions causing the congestion have abated.

(c) A performer may not perform on the public way so as to obstruct access to private property, except with the prior consent of the owner or manager of the property.

(d) ~~(1)~~ A performer shall comply in all respects with the relevant portions of the noise and vibration control provisions of the Chicago Noise Ordinance, Chapter 8-32 of the Municipal Code, and all other applicable Code provisions, which prohibit a street performer from generating any sound by any means so that the sound is louder than an average conversational level at a distance of 100 feet or more, measured either horizontally or vertically from the point of generation. Failure to comply with these noise control limitations shall constitute a violation of this subsection ~~(d)(1)~~ and shall subject the violator to the penalties set forth in subsection (e) of this section and to the fine set forth in Section 4-244-170(b).

~~Any performer whose performance in the area bounded by Lake Michigan on the east, Oak Street on the north, Congress Parkway on the south and LaSalle Street and Wacker Drive on the west (including both sides of the named boundary streets), has exceeded the noise limitations set forth in Section 8-32-070, and restated in this subsection (d)(1), and who is given notice thereof and requested to move by a police officer, shall move the location of his or her performance at least two city blocks from the location where the noise violation occurred. Failure to obey such a request to move is a violation of this section.~~

~~(2) — It shall be a separate violation of this subsection (d) for a street performer to generate any sound by any means so that the sound is louder than an average conversational level at a distance of 200 feet or more, measured either horizontally or vertically from the point of generation. Failure to comply with these noise control limitations shall subject the violator to the penalties set forth in subsection (e) of this section.~~

(e) Anyone found guilty of two violations of subsection ~~(d)(1)~~ of this section within one calendar year, ~~and anyone found guilty of one violation of subsection (d)(2) of this section,~~ shall have his or her street performer's permit revoked by the department for a period of one calendar year. Permit revocations shall be conducted in accordance with procedures established by the department. In addition to permit revocation and the fine provided for in Section 4-244-170(b), a person violating subsection (d) of this section may also be required to perform up to 24 hours of community service.

~~(f) All street performers are prohibited from performing in the highly congested area on both sides of Michigan Avenue, bounded by East Delaware Place on the north and East Superior Street on the south.~~

~~(g)~~ No performer shall, while performing on the public way: (1) on either side of Michigan Avenue, bounded by East Cedar Street on the north and East Balbo Avenue on the south, and on either side of State Street, bounded by Huron Street on the north and Jackson Boulevard on the south, or ~~(1)~~ (2) along that portion of Jackson Boulevard that lies between Columbus Drive and Lake Shore Drive at any time during which a concert is being performed in the Petrillo Music Shell, or ~~(2)~~ (3) along that portion of Randolph Street that lies between Columbus Drive and Michigan Avenue, and along that portion of Columbus Drive that lies between Michigan Avenue and Monroe Street, at any time during which a concert is being performed in the Jay Pritzker Pavilion, emit noise that is audible to a person with normal hearing more than 20 feet away.

~~(h)~~ (g) No performance by a performer shall be allowed at any time in Millennium Park, or on any sidewalk that abuts Millennium Park.

SECTION 2. This ordinance shall be in force and effect upon passage and publication.

Brendan Reilly
Alderman, 42nd Ward