

PUBLIC ART & BUSKING GUIDELINES



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Making progress possible. Together.

FOR FURTHER INFORMATION
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GENERAL BUSKING GUIDELINES

Busking is subject to all relevant legislation, including but not limited to:

- The By-law relating to Streets, Public Places and the Prevention of Noise Nuisances
- The Animal By-law

No permit is required provided that the act does not involve any animals or dangerous materials or items, which include but are not limited to:

- Acts that involve fire
- Acts that involve sharp implements

Please note the following conditions when performing in public spaces:

(a) Non-acceptable acts include the following:

Sale or provision of goods or services, or one-on-one consultations for money, fee or reward.

(b) Performance duration and times

(i) Performances may only last for 45 consecutive minutes at any one location including set-up, breaks and breakdown. After 45 minutes the busker must move to a different location at least one full street block away or to a different park.

(ii) Performances may take place between 08:00 and 21:00 on any day of the week unless otherwise agreed to by the City of Cape Town and affected property owner(s).

(iii) Performances in public parks may only take place during normal park hours while the park is open to the public unless otherwise agreed to by the City of Cape Town.

(c) Busking locations

(i) Performances involving sound must be sited at least 250 metres apart.

(d) Volume levels

(i) The volume must be kept to a reasonable level, within the guidelines set by the By-law relating to Streets, Public Places and the Prevention of Noise Nuisances.

(e) Young performers

(i) Proof of consent from a parent or legal guardian is required for performers and applicants under the age of 18.

(ii) During performances performers under 15 must be accompanied by a parent or legal guardian who is 18 or older at all times.

(iii) Performers under 15 are not allowed to perform during school hours unless part of an official school outing and with the consent of a parent or legal guardian.

(f) Voluntary donations

(i) Buskers may give audiences an opportunity to provide voluntary donations by placing a container close to the area that they perform in or by asking the audience for donations.

(ii) Buskers may not continue to ask a person for a donation or follow him/her to continue asking a donation after he/she has said no.

(iii) The performer's money collection container must not obstruct pedestrian traffic.

(iv) Buskers may use third-party advertising as part of their performance, provided it is in line with the City's Outdoor Advertising and Signage By-law, 2001.

(g) Safety and comfort

(i) Buskers and their audience must not block doorways, display windows, sidewalks, paths, bicycle routes or city streets and roads.

(ii) Performances must not jeopardise the comfort and safety of others.

(iii) Buskers must respect the wishes of nearby residents and visitors, particularly with regard to the volume of the performance and crowd response.

(iv) Buskers must take all possible steps to ensure their performance causes no harm to themselves or the public.

(v) Buskers must ensure that the area in which they are working, is kept clean.

(h) Cooperation with officials

(i) Buskers must cooperate with reasonable requests by any member of the South African Police Department, Metro Police Department, Law Enforcement Department, relevant Park Board or any other such designated official.

(i) If buskers do not comply with all busking rules and regulations and relevant legislation, the following actions will be taken:

(i) The busker may be told to lower the volume or find a new location.

(ii) A performance may be stopped.

(iii) A compliance notice may be issued in terms of a relevant by-law.

(iv) A fine may be issued in terms of relevant by-laws.

Exemptions from busking rules and regulations

In exceptional circumstances, deviations from the rules and regulations will be considered upon written request to the City of Cape Town's Manager: Arts and Culture.

TEMPORARY PUBLIC ART

EXHIBITION PERIOD IS LESS THAN 2 YEARS

MURAL
MAXIMUM EXHIBITION PERIOD IS 24 MONTHS

PUBLIC ART INTERVENTION
MAXIMUM EXHIBITION PERIOD IS 24 MONTHS

TEMPORARY INSTALLATION
MAXIMUM EXHIBITION PERIOD IS 24 MONTHS

CONTACT ARTS AND CULTURE DEPARTMENT TO REQUEST PUBLIC ART APPLICATION FORM

RETURN COMPLETED APPLICATION FORM TO ARTS AND CULTURE DEPARTMENT WITH SUPPORTING DOCUMENTS/INFORMATION

COMPLETED APPLICATION IS CIRCULATED TO INTERNAL AND EXTERNAL AFFECTED DEPARTMENTS. INTERNAL DEPARTMENTS ARE GIVEN 5 WORKING DAYS TO RESPOND. EXTERNAL DEPARTMENTS ARE GIVEN 14 DAYS TO RESPOND

NO OBJECTIONS

OBJECTIONS

SPECIAL CIRCUMSTANCES

PERMIT ISSUED
APPLICANT ADVISED VIA EMAIL

PERMIT WILL NOT BE ISSUED
APPLICANT WILL BE ADVISED IN WRITING. POSSIBLE OUTCOMES:
DECLINED
REVISE PROPOSAL
FIND ALTERNATE LOCATION

IF STRUCTURE IS OLDER THAN 60 YEARS OR AREA IS WITHIN A HPOZ, CONTACT HERITAGE WESTERN CAPE FOR A PERMIT BEFORE PERMIT MAY BE ISSUED BY ARTS AND CULTURE

IF ARTWORK IS CONSIDERED TO BE OUTDOOR ADVERTISING, CONTACT ENVIRONMENTAL HERITAGE RESOURCE MANAGEMENT: 021 400 6519

PERMANENT PUBLIC ART

EXHIBITION PERIOD EXCEEDS 5 YEARS (PROCESS TIME +- 4 MONTHS)

COMMISSION

EXTERNAL APPLICATION FOR ART ON PUBLIC LAND

DONATION

APPLICATION FOR PERMANENT PUBLIC ART TO BE SUBMITTED TO PUBLIC ART WORKING GROUP AT LEAST 30 DAYS PRIOR TO THE MEETING

APPLICATION/PROPOSAL Tabled AT PUBLIC ART WORKING GROUP MEETING

RECOMMENDED PUBLIC ARTWORKS FORWARDED TO THE ARTS AND CULTURE MANAGER FOR THE APPROVAL PROCESS

FEEDBACK FROM STAKEHOLDERS CONSIDERED AT NEXT PUBLIC ART WORKING GROUP MEETING

IF THE PROPOSAL IS SUPPORTED, A REPORT WILL BE SENT TO THE PORTFOLIO COMMITTEE, MAYCO AND COUNCIL FOR FINAL APPROVAL

ONCE APPROVED, AN APPROVAL LETTER TOGETHER WITH ANY TERMS/CONDITIONS/RECOMMENDATIONS WILL BE SENT TO THE APPLICANT

ALL DOCUMENTATION WILL BE ADDED TO THE DATABASE OF APPROVED PUBLIC ARTWORKS. IMAGES OF IMPLEMENTED ARTWORK TO BE SENT TO ARTS AND CULTURE DEPARTMENT FOR RECORD-KEEPING PURPOSES

PUBLIC ART WORKING GROUP MAY SUGGEST AMENDMENT TO PROPOSAL. AMENDMENTS TO BE RESUBMITTED AND TO FOLLOW THE ABOVE OUTLINED PROCESS.

BUSKING IN PUBLIC SPACES: SPECIAL BUSKING PERMIT

A PUBLIC SPACE IS ANY SITE OWNED, MANAGED OR MAINTAINED BY THE CITY WHICH IS OPEN FOR USE TO THE PUBLIC

BUSKING THAT INVOLVES ANIMALS, DANGEROUS MATERIALS OR IMPLEMENTS

SPECIAL BUSKING PERMIT REQUIRED

SUBMIT BUSKING REQUEST IN WRITING TO THE ARTS AND CULTURE DEPARTMENT

CITY WILL CONDUCT A SAFETY REVIEW. ARTS AND CULTURE WILL ENGAGE WITH FIRE SERVICES, LAW ENFORCEMENT, ENVIRONMENTAL HEALTH AND DISASTER RISK MANAGEMENT

A SPECIAL BUSKING PERMIT WILL ONLY BE ISSUED ONCE WRITTEN APPROVAL IS OBTAINED FROM DEPARTMENTS ABOVE