

# Busking Regulation Options

## Recommendation

That the November 20, 2019, Citizen Services report CR\_5943, be received for information.

## Previous Council/Committee Action

At the November 20, 2019, Community and Public Services Committee meeting, the November 20, 2019, Citizen Services report CR\_5943 was postponed to the December 4, 2019, Community and Public Services Committee meeting.

At the April 18, 2018, Community and Public Services Committee meeting, the following motion was passed:

That Administration work with the Edmonton Police Service and stakeholders including the busking community to develop guidelines and rules that could help to regulate busking activities including but not limited to possible bylaw amendments.

## Executive Summary

In summer 2018, Administration, Edmonton Police Service, and the Old Strathcona Business Association continued the efforts made in 2017 to review the possibility of additional regulations related to street busking activities.

Based on feedback received from the public, business associations, and enforcement stakeholders, along with a review of applicable legislation, Administration does not recommend pursuing additional regulations as it has concluded that existing legislation provides the necessary tools to address busking related concerns.

## Report

In December 2016, Community and Public Services Committee directed Administration to conduct a one-year pilot project to regulate busking activities on Whyte Avenue in partnership with the Old Strathcona Business Association and the Edmonton Police Service. The pilot project was meant to provide designated locations along Whyte Avenue for busking activities to mitigate sidewalk obstruction, excessive noise, and public safety concerns.

The pilot encouraged buskers to obtain a voluntary permit that would be issued and administered by the Old Strathcona Business Association. With no legal requirement to obtain a permit or to perform in designated areas, there was little participation in the program.

In April 2018, Community and Public Services Committee directed Administration to work with Edmonton Police Service and stakeholders to develop guidelines and rules that could help to regulate busking activities. In addition to stakeholder and public engagement, Administration also considered the number of reported busking concerns and reviewed existing legislation.

In total, Administration received nine complaints from January 2017 to October 2019. Targeted enforcement patrols of the primary entertainment districts did not find significant bylaw violations related to busking.

Administration currently enforces offences such as impeding the orderly movement of pedestrian and vehicular traffic, aggressive panhandling, and excessive noise violations. A review of existing provincial and municipal legislation highlighted some additional enforcement tools to address busking activities causing concerns such as obstructing entrances to buildings.

In summer 2018, the Old Strathcona Business Association conducted a survey of its members. Of the 220 respondents, five percent indicated a negative experience with a busker (Attachment 1). Further discussions between Administration and stakeholders revealed that busking is generally seen as a positive addition to a vibrant street life.

Given the low number of complaints over the last few years and the existing legislative tools available, Administration and Old Strathcona Business Association do not believe additional regulations related to busking are required at this time.

### Corporate Outcomes and Performance Management

<b>Corporate Outcome: Edmontonians are connected to the city in which they live, work and play</b>			
<b>Outcome(s)</b>	<b>Measure(s)</b>	<b>Result(s)</b>	<b>Target(s)</b>
Enforcement programs are citizen centred and responsive to communities' needs	Number of public complaints received for busking activity	2019: 1 2018: 5 2017: 3	N/A

### Attachment

1. 2018 Business member survey feedback on busking in Old Strathcona

### **Others Reviewing this Report**

- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- B. Andriachuk, City Solicitor