



 **Downtown Cleveland**

# Street Performance

Best Practices Guide for Street Performance in Downtown Cleveland



Downtown Cleveland continues to be the region's most dynamic place for unique and unforgettable cultural experiences. Our vision is to create a vibrant, diverse, and inviting urban environment that fosters a safe, comfortable, and respectful atmosphere for performers, residents, business owners, and visitors.

This best practices guide is intended to be a reference for street performers, residents, businesses, and public officials. It lists all the information needed for a successful street performance that creates a positive atmosphere in the shared space for all involved. Street performances can bring the best talent, culture, and entrepreneurial spirit to Downtown Cleveland.

# What is Street Performance Or “Busking”?

Street performance or “busking” is the performance of art, theatre, dance, or music in the public space with the purpose to entertain and engage members of the public. Busking has been around for as long as people have been able to entertain. The word comes from the Spanish root “buscar” which means “to seek”.

A street performer is not normally paid and works to obtain donations, or “tips”, which can be money or gifts given by the general public in appreciation of the performance. There is no obligation for the person being entertained to give any compensation for the performance.

Street performance should have a spontaneous feel and be a mobile performance that can be easily moved from one location to the next.

## Street performance includes the following types of entertainment:

- Balloon Twisting
- Caricatures
- Clowning
- Comedy
- Dance
- Singing
- Street Theatre
- Juggling
- Magic
- Mime
- Living Statue
- Musical Performance
- Puppeteering
- Poetry



# City of Cleveland Street Performer Ordinance

## Chapter 675A- Street Performers

### 675A.01 Definitions

#### As used in this chapter:

- (a) “Perform includes, but is not limited to, the following activities: acting, singing, playing musical instruments, pantomime, juggling, magic dancing, reciting and clowning, and accepting or soliciting contributions of money or property in exchange for such activities.
- (b) “Performer” means any person who performs as defined in division (a) of this section and accepts or solicits contributions of money or property in exchange for a performance.
- (c) “Public place” means a publicly owned building and premises appurtenant thereto, and any public park, sidewalk or tree lawn and included any public right-of-way.
- (d) “Public right-of-way” means any way which has been deeded to the public or dedicated to the public use for pedestrian or vehicular travel including but not limited to alleys, bridges, buildings, driveways, parking lots, parks, plazas, skywalks or streets.
- (e) “Street” means all alleys, streets, avenues, lanes, courts, roads, boulevard medians and park roads in the City.

**(Ord. No. 979-13. Passed 7-10-13, eff. 7-16-13)**

### 675A.02 Performances Permitted: Conditions

- (a)
  - (1) Any person may perform in a public place except as may be otherwise provided in this chapter.
  - (2) Any person may perform on private property if the performer has obtained written permission from the owner of the property or other person with authority to grant permission with respect to the property. Such permission shall be carried

by the performer at all times unless the owner of the property or other person with authority has granted permission and is present at the performance.

- (b) Performers may perform during the following times:
  - (1) Between the hours of 8:00am and 11:00pm on Mondays through Fridays;
  - (2) Between the hours of 9:00am and 11:00pm on Saturdays;
  - (3) Between the hours of 9:00am and 11:00pm on Sundays in the downtown area of the City and during special events, parades and festivals taking place on Sundays in areas of the City not in the downtown area; and
  - (4) Between the hours of 1:00pm and 9:00pm on Sundays in any area of the City not the downtown area, except as noted in division (b)(3) of this section.
- (c) Performers may accept contributions of money or property in any type of receptacle.

**(Ord. No. 979-13. Passes 7-10-13, eff. 7-16-13)**

### 675A.03 Prohibitions

- (a) No person may perform in a public building in the City.
- (b) No person may perform in a street unless such street has been closed to vehicular traffic.
- (c) No performer shall hinder or prevent the movement of persons on a public street, road, highway, sidewalk or right-of-way, or to, from within or upon public or private property, so as to interfere with the rights of others.
- (d) No performer shall continue to perform in any public place which does not provide sufficient area to accommodate any group of persons observing the performer so as to allow the free passage of any person upon public property or to or from private property.

**(Ord. No. 979-13. Passed 7-10-13, eff. 7-16-13)**

# Street Performance Locations

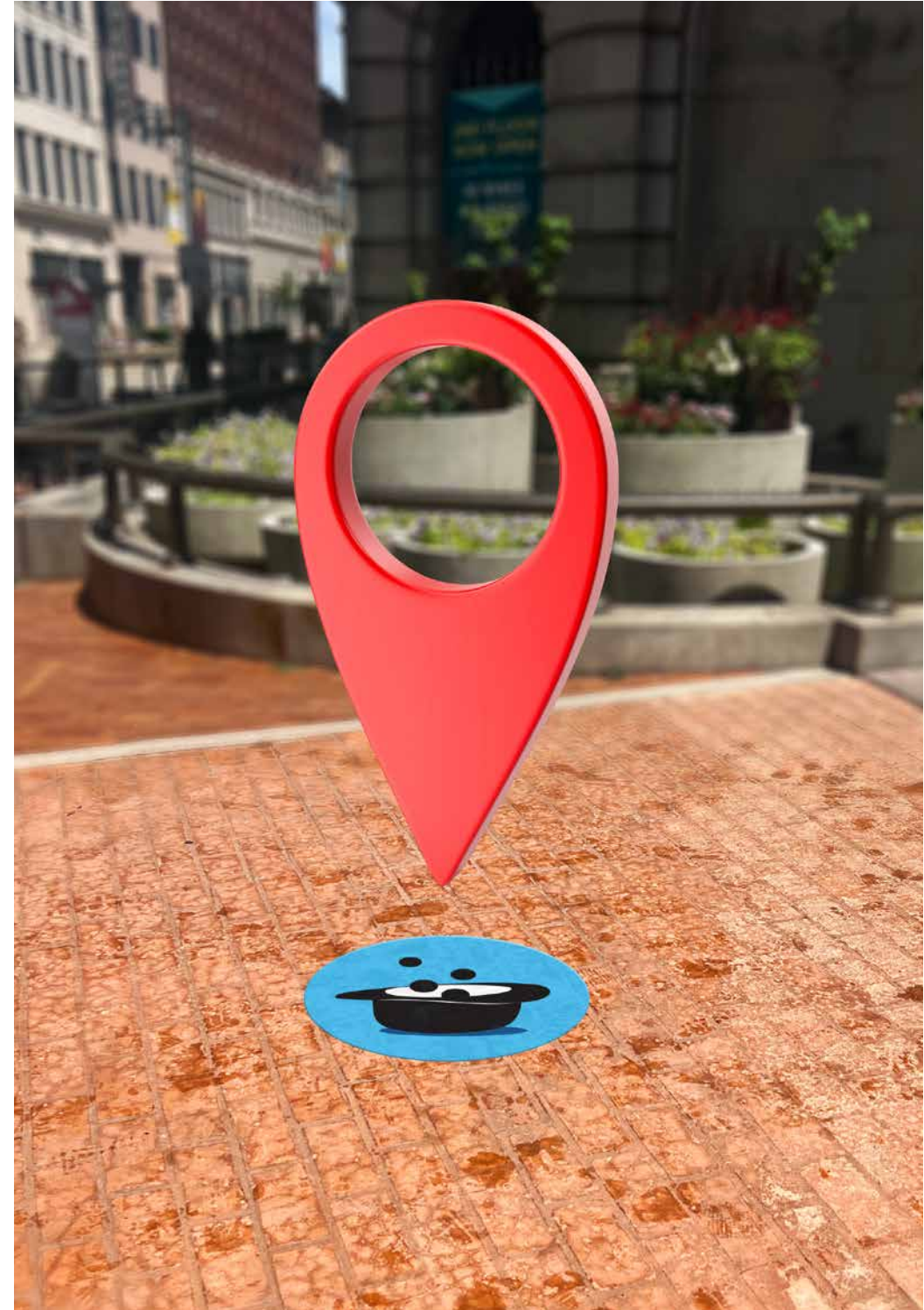
The area that a street performer uses to entertain is called the “pitch”.

Following the City of Cleveland ordinance guidelines, the pitch location should be on public property, not private unless approved, out of the public right-of-way, and within the approved hours. This ensures that a street performer does not interrupt the normal movement of pedestrians and traffic that the downtown area experiences at different times of the day.

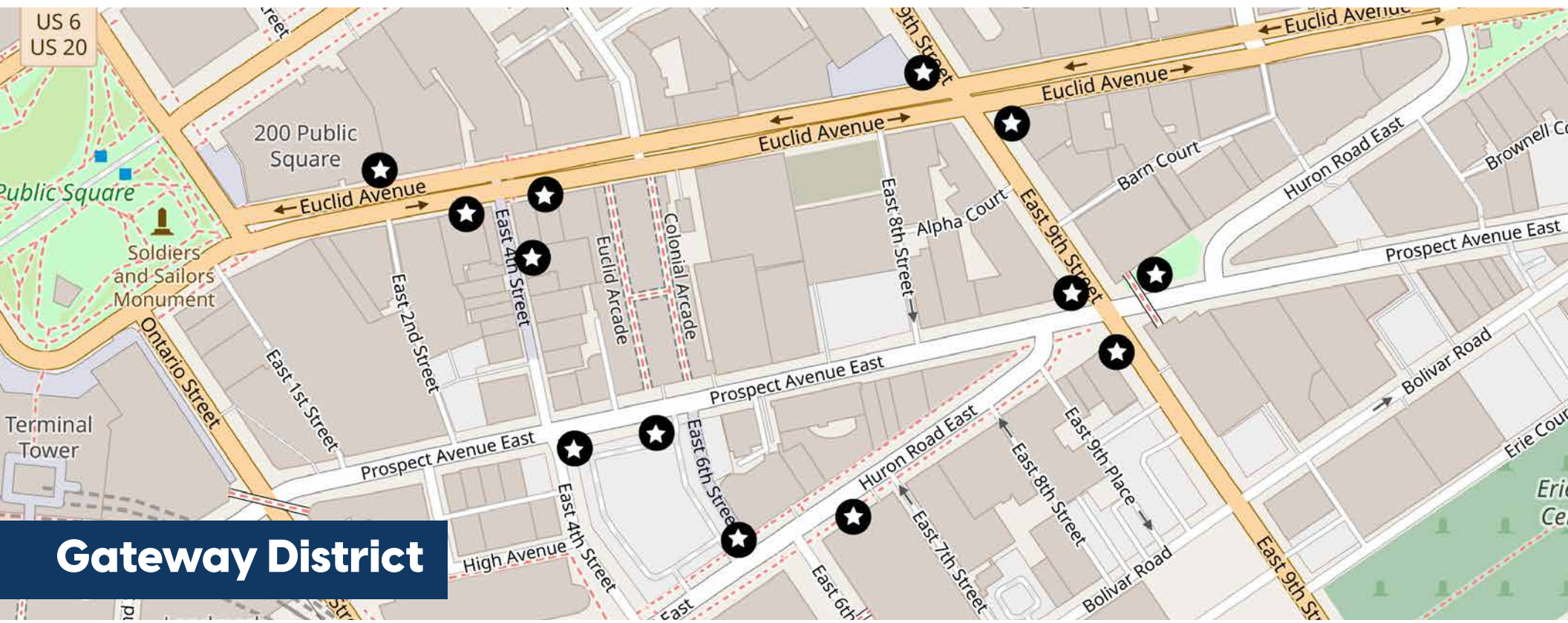
DCA has identified 20 locations in Downtown Cleveland that are appropriate places for street performance. Focusing the performances in these spaces will give the performer the best chance to benefit from foot traffic, leave room for the movement of people, and establish the street performance expectation for businesses and public officials.

With the choice of various locations, a street performer should have no problem finding an open pitch and should be able to adjust their location if the location is unsuitable based on the activities that are happening in the city on a given day.

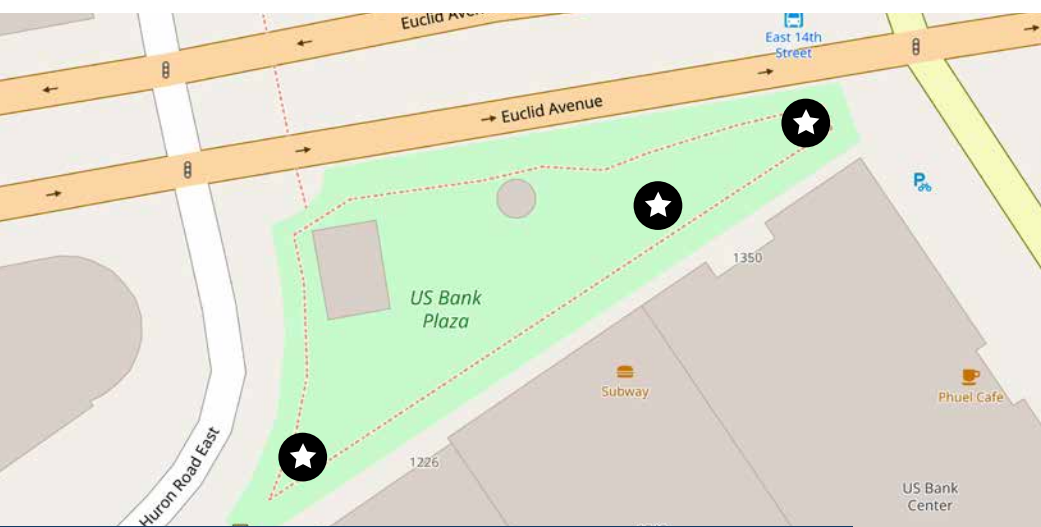
It is encouraged to share or swap a pitch with other street performers. If someone is performing on a pitch another would like to play, they should politely ask them how long they are playing and if they would be willing to share or swap their pitch. Only reserve one pitch at a time, not multiple. This cooperation will help to provide a healthy street performance community and give everyone a chance to maximize their opportunity. It is considered rude to stay at one pitch for too long. In addition, it helps create diversity in street performance by having different acts at the same location.



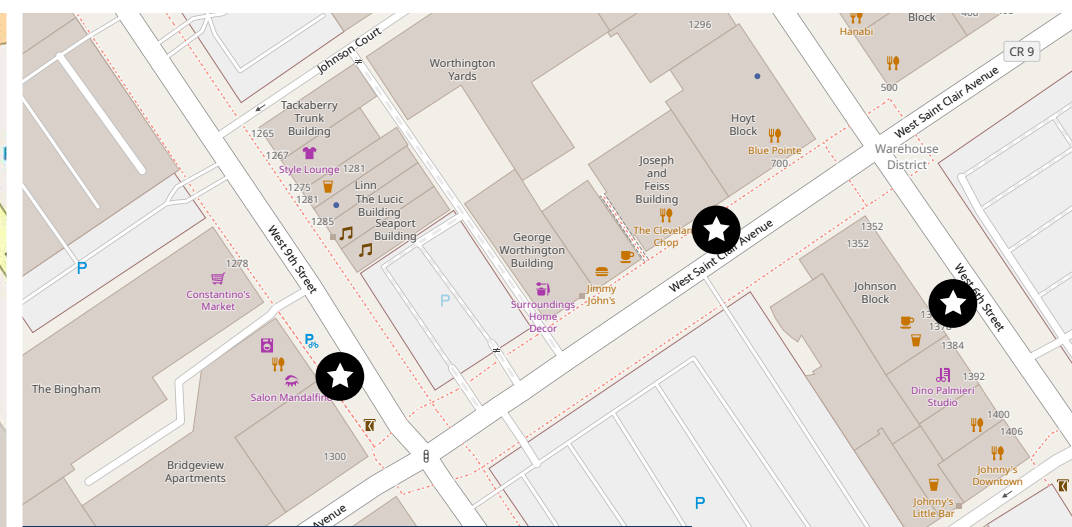
# Preferred Pitch Locations



**Gateway District**



**Playhouse Square District**



**Warehouse District**



# Equipment To Bring

When street performing, one must be completely mobile. One trip with equipment is preferable. Use a cart to carry equipment. Leaving equipment unattended at a pitch on a public street can result in the equipment being damaged or stolen.

There is no electricity at the pitch, so anything that is normally plugged in for a performance must run on batteries. There are many choices for amplification of music, from portable Bluetooth speakers to battery-powered speakers with mixers. The smaller, lighter, and more compact the better.

Be prepared to protect yourself and your equipment from the elements. A street performer won't be allowed to set up a tent, but a personal umbrella or plastic tarp will help keep things dry. Check the weather before going to perform as to not get caught in the rain or cold.

Bring all equipment or props needed for the performance. Be creative in downsizing and prioritizing what is needed to perform. You might be impressed with how little is needed.

# Securing Tip Money + Equipment

Think carefully about what type of container to use to collect tips.

- Make it unique or decorative.
  - Ensure that it is solid and easy to put tips into.
  - It is efficient to use something that is already being brought along (i.e. a guitar case).
  - Put a sign on the tip collection container that says, “Donations Here”, or, even better, have a funny saying such as “On a scale of 1 to 10, how attractive are you?”
  - A good trick is to “sweeten the pot”, which means to put a few of your own dollars in the tip collection container to get things going.
  - A rock or a paperweight is also a good idea to have in the tip collection container in case it’s windy out.
  - Secure container by affixing it to something sturdy so it’s not easy for someone to grab and run away with.
- Always take the tips out when taking a break, leaving a few dollars in to “sweeten the pot”.
  - Some items that can be used as a tip collection container include:
    - Plastic tip jar, pail, or container (no glass, as it can fall and break)
    - Hat
    - Wooden box
    - Shoebox
    - Guitar case (on a windy day, money can easily get blown out)
    - Cigar Box
    - Bucket
    - Coffee can

Create a sign with a name and any other important information, such as website, social media handles, or Venmo/ PayPal information. QR codes that people can scan with their phones make tipping easy. Digital tips are usually more than a \$1 bill, so encourage people to give that way as well.

If you normally play an expensive instrument, consider a cheaper alternative to perform with. There is no need to bring an instrument that costs \$3,000 on a street corner if a \$200 one will get the job done. Leave the expensive stuff at home.

Go to the bathroom before performing and avoid drinking too many liquids. If you need to go to the bathroom, ask someone trustworthy to look after the equipment.





# Performance Best Practices & Tips

- **NEVER ask for money.** Street performance is a donation-based endeavor.
- Keep set length to 45 minutes with a 15-minute break. If using backing tracks or pre-recorded music, do not let it run through the break or be continuous. Give the shared space time to breathe.
- Do not repeat sets at the same pitch. If you have a limited repertoire of material, be prepared to move location regularly instead of repeating performances in the same place. Avoid repetitive performances; make it interesting to the ones that are listening to the whole performance, and they will be happier to have you around.
- Make it a show. Many street performers who take their jobs seriously work out a highly rehearsed and choreographed routine, not unlike professional stage musicians. These types of performances will always have higher tips. Be animated, move around, and don't stay still.
- Create a unique experience. Dress up and wear something loud, such as a funny hat, shirt, cape, or shoes. If it's reflective of your personality, that's even better. Create a persona or character that is consistent when performing to differentiate yourself from others. If people recognize you, you have raised your opportunity for tips.
- Be positive, confident, and happy during interactions with the audience. Compliment them and try to think about a song, trick, or act that relates to them and their day. Performers have the power and ability to change someone's day with an act of entertainment. Smile, wave, and acknowledge the people listening or passing by.
- Create a routine and repeat it. Create a script and practice it so it becomes natural. Pay attention to what works and what doesn't.
- Play upbeat and familiar songs. While you are free to play whatever you want, focus on songs that will make quality tips. Songs that people know will always result in better tips than songs that aren't known.
- Make your performance family-friendly. No parents want to hear swearing or risqué subject matter while walking down the street with their kids. Learn some kids' songs, tricks, or jokes, as parents love to give their kids money to put in the tip collection container. This is a chance to create future supporters of creative entertainment.
- Use the performance to promote another event you are doing. Have flyers and business cards available to give to people who are interested. Many people are looking for entertainment for private or public events.
- If you know of an event happening in the area where you're performing, learn a song or relate your act to the event. For example, if there is a baseball game, play "Take Me Out to The Ball Game" or "Centerfield".
- Interact with the audience. Talking to them will break down a wall and hopefully lead to a tip.
- Always thank people for their tips. Acknowledging and appreciating their donation is really all someone wants in return. If you are in the middle of singing a lyric, or in the middle of an act, wait until the pause to say "thanks". Stopping to say thanks can also remind others that you are grateful for tips, leading to more tips.
- Bring chalk to draw a line circle to define the performance area.
- Consider going "live" on social media to share the performance and get virtual tips in addition to physical ones.
- Memorize lyrics as music stands are one more awkward thing to carry, and wind will blow away sheets of paper.
- If you don't want your picture taken or have video recorded, put a sign up saying so, and most people will be respectful. Understand you are in a public space, and there is nothing you can do if someone takes a picture or video of your performance. However, if someone stops to listen, requests a certain song, or takes a video or picture, they should tip accordingly.



# Volume Versus Noise

Appropriate volume will be reflected in the number of tips a street performer receives. Performance volume is easy to make softer or louder, even without amplification. Not all street performers use reinforced sound, but, if you do, be aware and respectful of your surroundings. Attempt to use the natural ambiance of a space to help determine an appropriate volume. As the performer, be aware and willing to turn the volume down, move a short distance, or change the direction you are facing.

There is not a precise level of volume or fixed decibel level for a performance. As a guide, volume level should be just above the level of ambient street noise. The levels in smaller and quieter spaces need to be lower than on busy streets with more ambient noise.

Look at the body language of the audience to gauge appropriate volume. Are they having to speak loudly as they get close, cover their ears, or sit farther away? Try to ask someone how they think it sounds. If there is a business within earshot, inquire with them to make sure that the volume isn't interrupting their customers. Communication with those in the area of the pitch is the best way to create a positive street performance atmosphere.

Make sure the sound you present is pleasant, not intrusive. Intrusive noise can be excessive volume, long duration or repetition, or no pause in a backing track. This makes it harder for residents and businesses to handle and will likely lead to fewer tips. Leave the cowbell at home. Continuous noise, however pleasant, can be seen as intrusive. Avoid distortion in the signal that can be unpleasant to the ears.

Be aware of children, especially babies in strollers who can't cover their own ears if it's too loud. It's easy and effective to use dynamics in a performance. Getting loud or soft makes the performance more listenable and interesting.

If you have drums or percussion instruments, use brushes and rods, or dampen the drums with a fabric.

# Selling of Merchandise

Street performance does not involve a formal sales transaction because donations are given to buskers by members of the public on a voluntary basis. No one who sees a performer's act is under any obligation to give them anything.

If the selling of merchandise is part of the street performance act, it must be offered on a voluntary basis. This must be made clear to members of the public. Spectators should be able to engage with the act or performance without any obligation to donate.

If merchandise is to be sold, create and post a sign that says, "This merchandise is not being offered for sale, suggested contribution is \$10." This ensures that you are not selling products at the street level, for which you would need a license.

To pursue a Street Vendor license, please read Ordinance Chapter 675 at <https://cleveland.files.wordpress.com/2017/07/chapter-675-street-vendors.pdf>.





# For Residents + Businesses

If you are a resident, business, or public official, please follow these steps to alleviate any issue that may arise with a street performance. The goal is to have a healthy, positive street culture for everyone involved.

## 1. Talk to the street performer.

- When approaching a street performer to discuss their work, it is important to wait for a suitable interval in the performance before introducing yourself to them. Interrupting performances is unlikely to lead to a productive dialogue. Polite interactions are likely to produce positive outcomes. Respect for each other and the shared space is the most important thing to remember. Try to reach a compromise if possible.
- Could the street performer adjust their location, direction, or volume, or could both parties agree to an appropriate performance duration?
- Direct the street performer's attention to this guide and reference the City of Cleveland's Street Performer ordinance if applicable.
- Use the Street Performance Map on Downtown Cleveland Alliance's website to suggest a different location.

## 2. Contact Downtown Cleveland Alliance.

- If you feel that your issues have been unresolved concerning a street performance, please email [eeckart@downtowncleveland.com](mailto:eeckart@downtowncleveland.com).
- For general inquiries and questions, email [dtcle@downtowncleveland.com](mailto:dtcle@downtowncleveland.com).

Authorities cannot confiscate street performer equipment unless that equipment is causing damage or harm.



### **Public Liability Insurance**

It is highly recommended that performers have suitable Public Liability Insurance.

### **Contact Details**

For all inquiries about this guidance, please contact Downtown Cleveland Alliance at 216-621-6000 or email at [DTCLE@DowntownCleveland.com](mailto:DTCLE@DowntownCleveland.com).