



# Kirkland Public Works

## Busking in Public Right of Way

### Overview

The City of Kirkland recognizes the vibrancy and enjoyment that buskers bring to a public space. To balance the needs of right of way users, businesses and patrons, and the busking community, the following rules are in addition to all other rules/regulations in Kirkland Municipal Code 11.85 – Busking.

### Busking Rules

1. A busking permit is required to busk in select Kirkland public right of ways (ROW) and must be with busker during performance.
  - a. Annual Permit fee: \$175
  - b. Permits are valid until December 31st of the year for which they are designated and can be applied for through the Parks and Community Services counter at City Hall. Note: Only one permit is required for busking in the public ROW and in the dedicated City park locations.
2. Busking is allowed on public ROW where six (6) feet of clearance for ROW users can be maintained.
  - a. Busking locations are available on a first-come, first-serve basis.
  - b. Buskers shall not perform:
    - i. Within 10 feet of any bus stop;
    - ii. Within 10 feet of any street corner or marked pedestrian crosswalk;
    - iii. Within 10 feet of the entrance of any business, including, but not limited to, doors, vestibules, driveways, outdoor dining entries and emergency exits, during the hours that any business on the premises is open to the public or to persons having or conducting lawful business within those premises.
    - iv. Within 250 feet of other permitted performers.
  - c. Buskers shall not perform for longer than two (2) hours at any location. The time begins to count when a Busker initially occupies the busking location.
  - d. To allow for other buskers to access busking locations, upon completion of a two (2) hour set, buskers must vacate the location for at least one (1) hour prior to beginning a new performance at the same location.
  - e. Buskers are not allowed to hold a location by leaving equipment in place before or after a performance.
3. No busker may generate noise that can be heard fifty (50) feet or more from the source.
  - a. A permitted busker may use amplification as long as the sound limit is not exceeded.

- b. The use of prerecorded music is prohibited, except as backup accompaniment to a live performance. All prerecorded music shall be turned off when not actively performing.
- 4. No commercial sales are allowed; however, donations may be accepted.
  - a. Contributions may be received in any receptacle.
- 5. No busker shall prevent the public from utilizing any public benches, waste receptacles or other street furniture during the performance.
  - a. A busker may occupy a public bench during a performance and not be in violation of this rule.
  - b. Buskers are not permitted to move or relocate any public equipment including but not limited to benches, temporary parking signage, waste receptacles, etc.
- 6. No busker shall use profane, obscene, or lewd language or imagery while performing.
- 7. No busker shall use any knife, sword, torch, flame, axe, saw or other object that can cause serious bodily injury to any person.
- 8. The use of public power outlets or portable generators is prohibited. Any electronic devices used as a part of a busking performance must be self-powered.
- 9. Buskers shall not ask or allow any observer, bystander, or audience member to engage in any activity that can cause serious bodily injury to any person, including, but not limited to, acrobatics, tumbling, or cycling.
- 10. Buskers must obey all local, state, and federal laws and must comply with police officer directives to ensure public safety.
- 11. Buskers must follow all public ROW rules and must comply with Public Works' staff directives.
- 12. A busking permit may be suspended, revoked, or denied based on repeated violations of public ROW rules, if it is discovered a permit application contained false information, or violations of any other public ROW rule(s).
- 13. Enforcement will be complaint-driven with coordination between Kirkland Public Works and Police Department. Public Works Administration will follow-up with busker in question.

*The City of Kirkland does not discriminate on the basis of race, color, gender, sexual orientation, gender identity or expression, religion, national origin, marital status, age, disability, veteran status, genetic information or any other protected status and encourages anyone to apply for a busking permit.*