

# Ordinance No. 919-16

Council Member McCormack

## AN EMERGENCY ORDINANCE

To amend Section 675A.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 979-13, passed July 10, 2013, to limit the times during which street performers may perform in order to minimize excessive noise in the evenings and mornings for residents.

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WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That Section 675A.02 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 979-13, passed July 10, 2013, is amended as follows:

Section 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 9:00 a.m. and 9:00 p.m. on Sundays through Thursdays;
  - (2) Between the hours of 10:00 a.m. and 10:00 p.m. on Fridays and Saturdays; and
  - (3) Between the hours of 9:00 a.m. and 11:00 p.m. during permitted special events, parades, and festivals.
- (c) Performers may accept contributions of money or property in any type of receptacle.

Section 2. That existing Section 675A.02 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 979-13, passed July 10, 2013, is repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Administrative Report

Ordinance No.: 919-16

*No Certificate Necessary*

Resolution No.:

Estimated Cost:

Certificate of Funds

The sum of \_\_\_\_\_ required for this contract was certified on \_\_\_\_\_, 2016, and is at this date in the City Treasury or in the process of collection to the credit of \_\_\_\_\_ Fund and not appropriated for any other purpose.

Date: 08/17/16

Entered by: [Signature]  
Appropriation Clerk

[Signature]  
Director of Finance  
[Signature] Acting  
Commissioner of Accounts

Indexed by: \_\_\_\_\_  
Accountant

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Legal description of premises approved by:

\_\_\_\_\_  
Commissioner of Engineering and Construction

\_\_\_\_\_  
Engineer of Plats and Surveys

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This Legislation is approved for passage because:

To amend Section 675A.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 979-13, passed July 10, 2013, to limit the times during which street performers may perform in order to minimize excessive noise in the evenings and mornings for residents.

Date: 8-16-16

[Signature]  
Director, Department of Public Safety

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THIS LEGISLATION IS NOT APPROVED BECAUSE:

Date: \_\_\_\_\_

\_\_\_\_\_, Director  
Department of Public Safety



## City of Cleveland Memorandum

Frank G. Jackson, Mayor

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**To:** Anthony Brancatelli, Chair  
Development, Planning and Sustainability Committee

Kevin Kelley, Chair  
Finance Committee

**From:** Michael McGrath, Director  
Department of Public Safety

**Subject:** Ordinance No. 919-16 – Amending Section 675A.02 of the Codified Ordinances of Cleveland, Ohio, 1976, to limit times during which street performers may perform in order to minimize excessive noise in the evenings and mornings for residents

**Date:** October 10, 2016

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Ordinance No. 919-16, if approved, would amend Section 675A.02 of the Codified Ordinances of Cleveland, Ohio, 1976, to limit times during which street performers may perform in order to minimize excessive noise in the evenings and mornings for residents. These times would allow street performers to perform between the hours of 9:00 AM and 9:00 PM Sunday through Thursday; between the hours of 10:00 AM and 10:00 PM Friday and Saturday; and between the hours of 9:00 AM and 11:00 PM for special events, parades and festivals.

The Department of Public Safety has no objections to this Ordinance.