

## **BY-LAW NO. MDSS 03-26**

### **BUSKING AND STREET PERFORMANCE BYLAW**

**BE IT ENACTED** by the Council of the Municipal District of St. Stephen as follows:

#### **PART 1 – TITLE AND PURPOSE**

##### **1. Short Title**

This Bylaw may be cited as the “Busking and Street Performance Bylaw.”

##### **2. Purpose**

The purpose of this Bylaw is to:

- (a) Permit and regulate busking and street performance within the Municipality;
- (b) Ensure public safety, accessibility, and enjoyment of public spaces;
- (c) Minimize nuisance, obstruction, and excessive noise;
- (d) Establish clear standards, locations, and enforcement provisions.

#### **PART 2 – DEFINITIONS**

“**Busker**” means a person who performs music, entertainment, art, or similar activity in a public place for voluntary donations or gratuities.

“**Council**” means the Council of the Municipal District of St. Stephen.

“**Designated Area**” means a public place approved by the Municipality for busking.

“**Municipality**” means the Municipal District of St. Stephen.

“**Municipal Enforcement Officer**” includes a bylaw enforcement officer, peace officer, or RCMP officer acting within their authority.

“**Performance**” includes music, singing, dancing, acting, magic, juggling, spoken word, visual art creation, or similar artistic expression.

“**Public Place**” means any property owned, leased, or controlled by the Municipality and open to the public.

**“Sound Amplification Device”** means any electronic or mechanical device used to amplify sound.

**“Permit”** means a written authorization issued by the Municipality allowing a person to busk in accordance with this Bylaw.

### **PART 3 – GENERAL PERMISSION AND PROHIBITIONS**

#### **3. Permission to Busk**

Busking is permitted only in accordance with this Bylaw.

#### **4. Prohibited Activities**

No person shall obstruct traffic, block access, use hazardous materials, harass the public, or perform while impaired.

### **PART 4 – LOCATIONS AND TIMES**

#### **5. Designated Locations**

Busking is permitted only in Designated Areas as approved by the Municipality.

#### **6. Time Restrictions**

Busking is permitted between 10:00 a.m. and 9:00 p.m. Sunday–Thursday and until 10:00 p.m. Friday–Saturday.

### **PART 5 – SOUND AND DURATION CONTROLS**

#### **7. Sound Limits**

Sound amplification devices require authorization and must comply with the Noise Control Bylaw.

#### **8. Duration**

No performance on public land may exceed 60 minutes at the same location.

## **PART 6 – PERMITS AND FEES**

### **9. Permit Requirement**

No person shall busk without a valid permit unless exempted by Council.

### **10. Permit Application**

Applications shall be made in the form prescribed by the Municipality.

### **11. Permit Fees**

Permit fees shall be established by Council by resolution and are non-refundable.

### **12. Permit Conditions**

The Municipality may impose conditions respecting location, duration, sound, and insurance.

### **13. Suspension or Revocation**

Permits may be suspended or revoked for contraventions or safety concerns.

### **14. Exemptions**

Council may exempt specific events or performers by resolution.

## **PART 7 – ENFORCEMENT AND PENALTIES**

### **15. Enforcement**

Municipal Enforcement Officers may enforce this Bylaw.

### **16. Penalties**

Fines range from \$100 to \$2,000 per offence.

## **PART 8 – GENERAL**

### **17. Severability**

Where any portion of this bylaw is found to be unenforceable, all other sections shall continue in full force and effect.

18. Effective Date

This Bylaw comes into force on the date of third and final reading.

READ A FIRST TIME this 25th day of March, 2026.

READ A SECOND TIME this \_\_\_ day of \_\_\_\_\_, 20\_\_.

READ A THIRD TIME AND FINALLY PASSED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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Allan MacEachern, Mayor

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Jeff Renaud, CAO/Clerk