

ORDINANCE NO. 1172

AN ORDINANCE PROVIDING FOR THE LICENSING OF MUSICIANS PERFORMING ON PUBLIC PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

SECTION 1. Section 4.16.07, Eureka Springs Municipal Code, created.

Section 4.16.07, Eureka Springs Municipal Code is created to read in its entirety as follows:

4.16.07 Performing Musicians

(a) Any person performing as a musician on public property for profit or remuneration shall first obtain a license from the office of the City Clerk-Treasurer.

(b) Upon application, licenses shall be issued for one calendar year, or the remaining unexpired portion of the year in which the license is issued. A license fee of \$ _____ per year shall be paid by each musician for the privilege of performing in all designated parks or spring reservations and a 30 day license fee of \$ _____ shall be paid by each musician for the privilege of performing in all parks and spring reservations. License fees collected by the Clerk-Treasurer shall be disbursed to the Parks and Recreation Commission to be used by it for the upkeep and maintenance of parks and/or spring reservations.

(c) Licenses issued under this Section shall entitle the applicant to perform only between the hours of 9:00 A.M. and 9:00 P.M. Provided, however, on those days on which a park or spring reservation has been reserved with the Parks and Recreation Commission for some public auditory function, parade, or other event, individual performing musicians shall not perform in such park or spring reservation during such public auditory function, parade or other event. In addition, no performing musician licensed under this section shall play any drums or cymbals nor shall any electrically power amplification system be utilized.

(d) Any person violating the terms of any provision of this section shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of \$ _____ for each offense, and the fine shall be disbursed to the Parks and Recreation Commission to be used by it for the upkeep and maintenance of parks and/or spring reservations, with the costs going to the City.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS THIS _____ DAY OF _____, 1983.

APPROVED:

DONALD L. THURMAN
Mayor

ATTEST:

TRUIE WALSH
City Clerk-Treasurer

*Ordinance was changed
see 1173*