

ORDINANCE NO. 1173

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

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 and soliciting or receiving payment or contributions from bystanders or the general public 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 \$35.00 shall be paid by each musician for the privilege of performing in any park or spring reservation and a 30 day license fee of \$20.00 shall be paid by each musician for the privilege of performing in any park or spring reservation. 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 or spring reservations.

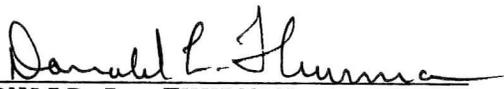
(c) Licenses issued under this Section shall entitle the applicant to perform only between the hours of 9:00 A.M. and 9:00 P.M. Provided, however, on those days on which a park or spring reservation has been reserved with the Parks and Recreation Commission for some public auditory function, parade, 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) No more than a maximum of five (5) musicians shall perform in Basin Park and no more than a maximum of two (2) musicians shall perform in any other park or spring reservation at the same time.

(e) 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 \$25.00 of each offense, payable to the Parks and Recreation Commission.

PASSED AND ORDAINED BY THE CITY COUNCIL
OF THE CITY OF EUREKA SPRINGS, ARKANSAS,
THIS 10th DAY OF May, 1983.

APPROVED:


DONALD L. THURMAN
Mayor

ATTEST:


TRUIE WALSH
City Clerk/Treasurer

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city of eureka
springs



city offices, 44 south main
eureka springs, arkansas 72632
phone 501-253-9703

Mayor
Donald L. Thurman

May 10, 1983

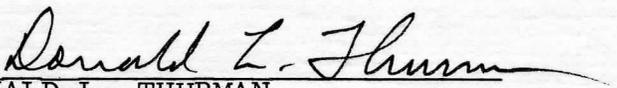
Mrs. Truie Walsh
City Clerk-Treasurer
City of Eureka Springs
Eureka Springs, Ar. 72632

Pursuant to the authority vested in me by Arkansas Statutes Section 19-1014, I hereby invoke my veto privilege with respect to the action taken on May 10, 1983 by the City Council in passing Ordinance #1173.

In my considered judgement I believe that the action of the City Council is not in the best interest of the City of Eureka Springs.

Accordingly, you are requested to incorporate this veto message into the journal of the City Council's proceedings at the next regular City Council meeting.

The action of the City Council has of this date no force or validity because of this veto.


DONALD L. THURMAN

DLT:vl

Received the 13th day of May, 1983.

BY: 
Deputy City Clerk