

ORDINANCE NO. 1275

AN ORDINANCE AMENDING SECTION 4.16.07, PERFORMING
MUSICIANS, OF EUREKA SPRINGS MUNICIPAL CODE

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

Section 1: Section 4.16.07, Eureka Springs Municipal Code,
amended

Section 4.16.07 is entirely amended to read as follows:

(a) Any person performing as a musician on public property and so-
liciting 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, Class A licenses shall be issued for one cal-
endar 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 this privilege of performing with the intent outlined in
Paragraph (a). The City Clerk-Treasurer may issue a Class B, 30 day
license for a fee of \$20.00.

(c) Class A and B licenses issued under this Section shall entitle
the applicant to perform in Basin Park and the East walkway of the
downtown Trolley Depot only between the hours of 9:00 A.M. and 6:00
P.M. Provided, however, on those days on which Basin Park has been
reserved with the Parks and Recreation Commission or the Trolley Depot
has been scheduled by the City for some public auditory function, par-
ade or other event, individual performing musicians shall not perform
during such public auditory function parade or other event.

(d) Further, in order to promote the development of and encouragement
for performing musicians, Sweet Spring will be designated as a separate
and special performing area where, upon application to the City Clerk-
Treasurer, a one week, Class C, permit for a fee of \$5.00 may be granted
to the licensee, in accordance with paragraph (a), to perform between
the hours of 9:00 A.M. and 6:00 P.M. The Parks and Recreation Commission
reserves the right to cancel this paragraph's granting privilege at its
will upon consideration of the conduct of the performing musician or in
lieu of special arrangements made by the Parks & Recreation Commission
for use of Sweet Spring.

(e) In addition, no performing musician licensed under this Section
shall play any drums or cymbals nor utilize any electrically powered
amplification system.

(f) There shall be no limit to the number of licenses issued for cur-
rent use by the City Clerk-Treasurer, except that licenses must be re-
newed; and identification card, which shall be issued at time of li-
cense purchase, must be carried by the musicians on their person for
license check upon demand.

(g) Any person violating the term of any provision of this section
shall be guilty of a misdemeanor and upon conviction shall be subject
to a fine of \$25.00 for each offense, payable to the Parks & Recreation
Commission.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE
CITY OF EUREKA SPRINGS ON THE 12th DAY OF May, 1987.

APPROVED:


RICHARD L. SCHOENINGER, Mayor

ATTEST:


City Clerk-Treasurer

Seal

