



Daystall Rules for Performers

SPECIFIC REQUIREMENTS FOR PERFORMERS

A. Mission Statement (Excerpted from Section I. Rules Common to All Daystall Tenants)

Performing artists add to the festive character of the Market and contribute to a unique shopping opportunity for Market customers. The PDA's mission with regard to performers is to maintain

locations within the Market where performing artists, as an integral part of the Market Community, are encouraged to entertain Market shoppers in a fashion that supports public safety and is consistent with and complimentary to the market's historic use as a shopping destination.

B. Definition Performer (Excerpted from Section I. Rules Common to All Daystall Tenants)

1. Performer means any person or group of persons who plays musical instruments, sings, dances, speaks, or otherwise provides entertainment in the Market other than in space leased to merchants, when tips or donations are sought or received for such performances. Commercial vending of products is not considered a "performance" and as such vendors do not qualify as "performers" under these Rules and Regulations.
2. Performers may receive donations and recordings by musicians can be available for sale; however, performers are prohibited from active solicitation of donations and from active sale of any product associated with the performance.

C. Application Requirements and Procedures

- 1) Performing is permitted subject to regulation of the Market Historical Commission.
- 2) The permit application will be processed by the Marketmaster.
- 3) The Marketmaster shall issue permits to performers for performances in the Market subject to the following requirements:
 - a. Applications shall be made in writing upon a form prescribed by the Market. The Marketmaster will inform the applicant of locations and times for performances in the Market, and orient the performer to the performer guidelines.

- b. If the Marketmaster is satisfied that the facts set forth in the application are true, and if the applicant executes a statement stating that he or she will comply with the applicable provisions of this agreement, a permit shall be issued subject to suspension or revocation for material change in the matters set forth in the application, for violation of this agreement or Authority Rules and Regulations, or for violation of city ordinances or state law. A reasonable permit fee may be charged.
- c. When issued a permit, performers will be given a badge that shall be worn or displayed by the performer in plain view at all times during a performance. The badge, which will bear a number, may have a nickname or no name at all.
- d. New performer permits will be issued starting the first Tuesday in April each year. Performer permits shall be paid by April 15 each year, or by the first performance date of each year, and will remain valid through April 14 of the following year unless revoked by the Marketmaster as provided below. A performer shall be entitled to only one permit, which shall not be transferable.
- e. Specific performance times will not be assigned by the PDA, nor are there actually specific performance times at any performance locations. There are only positions in line (in the queue). Positions in line at a performance location are established on an honor system in which performers line up (queue) in person to establish and maintain their position in the line (queue).
- f. Performances are limited to one hour when another performer is in line (and present in line at the time the previous performer finishes their performance). A performer may not play longer than one hour when another performer is in line and present at the time at which that hour ends.
- g. If you are next in queue to perform and are not present when the play spot becomes available you will be allowed a five (5) minute grace period before you forfeit your place in line to perform.
- h. A performer may play less than one hour, or someone else in the queue may forfeit his or her spot in the queue. For this reason, it is imperative for performers to monitor their place in the line (queue), in order to avoid forfeiting their position in the line (queue). If a performer is next in line to perform, and for any reason that performer is not present when the performer spot becomes available, that performer then forfeits their place in

line and must go to the end of the line. In this instance, the next performer in the line (queue) assumes the next position in line. If no performers are present in the line (queue), any permitted performer may perform at that location and all positions in the former line (queue) are forfeited.

- i. Performers may not mark a place in queue for more than one location at a time; this is termed “double marking” and is not permitted. One performer may not play in the same location for more than one (1) hour, even if they are part of two separate “groups,” if any other performer is in queue.
- j. Performers are expected to comply with these rules as a condition of their permit.

D. General Provisions

1. Standards for Behavior

- a. Donations for performances may be accepted passively in an instrument case or other receptacle provided for that purpose by the performer. The receptacle may include a written sign, which informs the public that such donations are sought. In line with City of Seattle Ordinance 117104 no performer shall solicit donations in a manner that is aggressive or confrontational.
- b. All buskers are expected to treat others in the Market in a civil and respectful manner. No performer shall treat any person in a manner that is demeaning, rough, menacing, vulgar, profane or abusive, or in a manner that involves discrimination or harassment based on race, ethnicity, gender, sexual orientation, age, disability or national origin.
 - c. Children are permitted to accompany performers as long as they do not create a nuisance or disturbance to others.
- e. No animals are allowed inside buildings or covered arcades.
- f. Trading or selling of performer permits is not allowed.

- g. Drinking of alcoholic beverages or performing while intoxicated is prohibited. Smoking in covered arcades and at designated performance locations is prohibited.
- h. Performers are responsible for moderating the volume of their performance to a level appropriate to the designated activities of the market. Performers are responsible for respecting reasonable requests of nearby merchants regarding performance volume and crowd control.
- i. Performers are responsible for ensuring that their audience does not block vehicle traffic, access to Market buildings or to merchant businesses, or cause a safety hazard.
- j. Performers are responsible for respecting spaces provided for performance by keeping them free from unnecessary clutter.
- k. Performers shall immediately comply with requests of the Marketmaster and Market Security.
- l. Animals used in performances must be treated in a manner which is not exploiting, demeaning, or harmful. All performances which include an animal will be limited to the East side of the street.
- m. Consistent with Farm and Craft permit holders, performers are subject to the "Non Interference Clause"(page 10): that any actions or behaviors of the permit holder must be conducted in such a way as to not interfere with the normal conduct of business at adjoining or nearby stalls, or Market operations.

2. Applicable Laws and Ordinances

The Marketmaster may suspend or revoke any performance permit secured by fraud, concealment or misrepresentation of fact. No street performer shall act in relation to his/her Market performance in violation of city ordinance or state law.

E. Performance Times

1. Performers may perform in the Market only between the hours of 9:00 AM to 9:00 PM EXCEPT at the locations on Pike Place between Starbuck's and the Stewart House, the Post Alley spot, the south tip of the Triangle stairs, and the walkway on the First Lower Level of the Pike Street Hillclimb Corridor. Performances at these spots must end at 7:00 PM. Street performing is permitted every day that the Market is open. Performances in any one location shall be limited

to one (1) hour, unless no other performer is in the queue, except for as provided for elsewhere in these rules. A performer may be required to end a performance sooner, however, if, in the estimation of the Marketmaster, a continuing performance violates these Rules and Regulations or constitutes a hazard to public safety due to crowding, non-compliance of the Fire Code or blocking of access to merchant stalls or store fronts.

3. Specific performance times will not be assigned to a performer by the PDA.

F. Performance Locations

1. Performers may perform only at permitted locations on PDA – and City – owned property, as specified in this section.
2. The maximum number of performers in any location is limited to the corresponding number stenciled within the red location circle, as described in this section. The Marketmaster may require a reduction in the number of performers if, in the determination of the Marketmaster, the volume of music or performance significantly interferes with verbal communication at the nearest place of business and/or if doing so would alleviate foot traffic congestions in common areas at or near a performance location.
3. Likewise, upon special written request by a performer, the Marketmaster may allow an increase by one performer above the number designated at a specific location if s/he determines that doing so would not lead to increased interference with verbal communications at the nearest place of business and or significantly impede the flow of foot traffic in common areas at or near the performance location.
4. Such approval will be granted under special conditions that place specific limits on the times(s) of performances and/or location of performances by extraordinary group sizes or other considerations. Performers operating under such special conditions must have the written authorization on their person when performing.
5. All performance locations will be marked by a colored stencil with a number inside, unless otherwise noted below, designating the maximum number of performers who may perform at that location. Locations with a pink colored stencil are designated locations where performances must end at 7:00 PM.
6. As stated above, the Marketmaster may require a reduction in the number of performers at any given location. A map of the following locations is maintained by the PDA.
 - a. Locations at which no more than one or two performers are permitted:

Under the clock at the main Market entrance. The exact location is curbside, just north of the first pillar and south of the first Daystall. The following sign will be posted at this spot and enforced:

“This indoor performer location requires extra attention from performers to work with neighboring merchants due to their direct proximity and the potential for blocking pedestrian traffic. The Marketmaster may, at their discretion, place limits relating to this spot on individuals who have demonstrated a pattern of not managing these factors.”

Three or four performers may play at this spot, so long as they face out to the street.

- b. The southeast corner of Pine Street and Pike Place.
- c. At the North Arcade entrance (at the foot of Stewart Street), on the Desimone Bridge. No performing is allowed at this location on Saturday. At this location, the Marketmaster will post and enforce the following statement:

“This performer location requires extra attention from performers to work with neighboring businesses due to the proximity of so many merchants with no physical barriers to sound. The Marketmaster may, at their discretion, place limits relating to this spot on individuals who have demonstrated a pattern of not managing this requirement.”

- d. Outside the flower shop on the sidewalk at the corner of First Avenue and Pike Street.
- e. On the sidewalk at the southeast corner of First Avenue and Pine Street.
- f. In the First Avenue Courtyard adjacent to the main entrance to the Livingston-Baker Apartments.
- g. On the walkway on the Second Lower Level, between the Pike Street Hillclimb Corridor and the bridge over Western Ave.

7. Quiet Performance Locations:

- a. These spots will be for quiet performances—low level of vocals and instrumentation,

no percussion instruments or sounds (including clapping) and non-instrumental/non-vocal performances.

- 1) In the center of the courtyard of the Post Alley Building between that building and the Sanitary Market Building. This is an instrumental only spot Sunday-Friday.
- 2) At the south tip of the Triangle Building near the metal stairs.

b. At these locations performers will:

- 1) Play no longer than one hour, whether or not another performer is in line.
- 2) Take a break of at least one hour after performing in either of these before they can perform at either spot again.
- 3) Not repeat any of her/his repertoires more than once.

c. Rule Intent and Application: It is the PDA's intent that these rules be self-enforcing and that musicians police each other to achieve compliance and that musicians respect the requests of residents when residents ask for compliance.

8. Group Locations:

More than two performers are permitted at these locations, up to the maximum indicated within the red location circle. One or two performers may also use these locations:

- a. In the middle of the sidewalk which runs along the south side of Pike Street separating Pike Street and Lower Pike Street.
- b. On the walkway on the First Lower Level, along the Pike Street Hill Climb Corridor (The Cave)

Similar to a quiet spot (due to close proximity to merchants and residents) performers at this location will:

- 1) Play no longer than one hour, whether or not another performer is in line.
 - 2) Take a break of at least one hour after performing in either of these before they can perform at either spot again.
 - 3) Not repeat any of her/his repertoires more than once.
- c. At the southeast corner of Stewart Street and Pike Place intersection.
 - d. On Pike Place sidewalk between Starbuck's and Stewart House.
 - e. On Pike Place sidewalk in front of Pike Place Grocery.

- f. On Pike Place sidewalk along Western Ave just north of the Hillclimb stairs.
9. Indoor Locations:
Permitted buskers who perform solo or as duos and who perform on quiet musical instruments, or who otherwise perform at low volume, may inquire with the Marketmaster about limited opportunities for indoor performance. Should an appropriate opportunity be available, the Marketmaster will coordinate approval with the appropriate PDA Manager responsible for the given area.

G. Conditions of Performance

1. Prohibition on Commercial Activity

- a. Use of performance space to vend is expressly prohibited. Commercial vending of products or services is not considered a “performance” and, as such, vendors do not qualify as “performers” under these Rules and Regulations.
- b. *Rule Intent Statement:* Performers may receive donations, and recordings by musicians can be available for sale; however, performers are prohibited from aggressive or confrontational solicitation of donations and from active sale of any product associated with the performance.

2. Display and Sale of Recordings

- a. Performers with permits to perform in the Pike Place Market may accept donations for recordings of their performances.
- b. Performers must be in the act of performing at a designated performer spot while recordings are displayed.
- c. Recordings shall be displayed in an instrument case or other receptacle provided for that purpose by the performer. Displays of recordings shall be limited to one or two examples per recording, not to exceed five items. Displays must be set up in the area reserved for the street performer. Performers may distribute recordings through other commercial business locations in the Market Historical District.
- d. Performers are prohibited from displaying recordings of any other artist.

- e. Performers may display signs noting that recordings are available. These signs may not exceed 8"x 11" and must be displayed with the recordings in an instrument case or other receptacle provided for that purpose by the performer.

3. Other Conditions

- a. Children under the age of 16 who purchase a Market permit must be accompanied by an adult during performances.
- b. No devices for the electronic amplification of any sound are allowed. No brass instruments or drums are allowed. All performances at permitted locations must be played at levels that do not significantly interfere with normal verbal communication at the nearest place of business.
 - 1. Muted tubas will be allowed on a trial basis in 2017, and re-evaluated in Rules Review in 2018 for inclusion in the rules. Performers wishing to play muted tubas must obtain specific permission from the Marketmaster during regular busker permitting times, with staff reserving the right to rescind this permission in instances of non-compliance with any related rules. This allowance will not include playing on the Desimone Bridge or playing under the Clock Sign while facing inward.
 - 2) The Marketmaster may do all things necessary and proper to enforce and carry out these Rules and Regulations.