

4660 (GENERAL)
COMPTROLLER 279270
FILE NUMBER

C.B. NO. ~~95548~~ Ord. 103824
PETITION
OF

JIM PAGE FOR LEGISLATION PERMITTING MUSICIANS
TO PERFORM IN PARKS AND APPROPRIATE PLACES
ON DOWNTOWN STREETS, WITH PROPER LICENSE
CONTROLS.

6/12/74 Refer to Board of Public Works and Dept. of Lic. and Consumer
8/22/74 Grant & Prep. Leg. (PS&H) Affairs
9/10/74 Grant (PS&H)

FILED JUNE 13, 1974

C. G. ERLANDSON
COMPTROLLER AND CITY CLERK

BY *[Signature]* DEPUTY

ACTION OF THE COUNCIL

REFERRED	TO
JUNE 17, 1974	PUB. SAFETY & HEALTH
REFERRED	TO
REFERRED	TO
REPORTED	DISPOSITION
SEP 16 1974	GRANTED
RE-REFERRED	TO
REPORTED	DISPOSITION

REPORT OF COMMITTEE

Mr. President:

Your PUB. SAFETY & HEALTH Committee

to which was referred the within.....
PETITION

would respectfully report that we have considered the same and respectfully recommend that.....

THE SAME BE GRANTED

Paul R. [Signature]

CHAIRMAN

CHAIRMAN

September 3, 1974

Interim Police Chief Robert L. Hanson
Seattle Police Department
401 Public Safety Building
Seattle, Washington 98104

RE: Street Musicians

Dear Chief Hanson:

Enclosed is a copy of my letter to the Corporation Council requesting legislation to permit "street musicians" to perform in appropriate public places, including downtown sidewalks.

In a meeting on this matter with Jim Page, Rod Ihler of the Department of Licenses and Consumer Affairs, James Taylor of the Law Department, Don Benthin of the Parks Department, and Captain Dale Douglass of the Police Department, the general consensus was that the legislation requested by my letter would be workable.

I appreciate the concern of the Police Department that the proposed ordinance may be difficult to enforce, but feel that the restrictions outlined in the letter to Mr. Harris will allow for adequate enforcement. Should experience show these restrictions to be inadequate, the Police Department should bring the enforcement problems to the City Council's attention so that appropriate legislative action may be taken.

Respectfully yours,

RANDY REVELLE, Chairman
Public Safety and Health Committee

RR:dl:dk

cc: All Council Members
David Towne, Superintendent of Parks
Virginia Galle, Director, Department of Licenses & Consumer
Affairs
Jim Page

August 30, 1974

Honorable John P. Harris
Corporation Counsel
1000 Seattle Municipal Building
Seattle, Washington 98104

Dear Mr. Harris:

Re: C.F. 279270 (Street Musicians)

Enclosed is Comptroller's File 279270, Mr. Jim Page's petition for legislation permitting "street musicians" to perform in parks and appropriate places on downtown streets.

The Public Safety and Health Committee requests that an ordinance be prepared to amend Section 348 of the Licence Code Ordinance 48022 (known as the "Charitable Solicitation Ordinance") to permit street musicians to perform in the City of Seattle within the following guidelines:

- (1) Prohibit active solicitation;
- (2) Limit the number of street musicians allowed at any one location to two individuals;
- (3) Restrict the hours when this activity is allowed to from 10:00 a.m. to 10:00 p.m.;
- (4) Prohibit the use of amplifiers or any other device to increase volume;
- (5) Include a clause allowing the ordinance to become effective as soon as possible.

Enclosed is a draft proposal to guide you in preparing the ordinance. If possible, please return the new ordinance by September 12, 1974.

Very truly yours,

RANDY REVELLE, Chairman
Public Safety and Health Committee

RR:d1:dk
Enclosure:

ORDINANCE _____

CITY OF SEATTLE STREET MUSICIANS ORDINANCE

AN ORDINANCE permitting street musicians to perform on public streets or public places, regulating such performances, amending Section 348 of the License Code Ordinance 48022, adding thereto Sections 384A and 348B, and repealing all other conflicting ordinances.

Section 348. SOLICITING FOR PRIVATE NEEDS. It is unlawful for anyone to solicit contributions for himself in or upon any public street or public place in the City of Seattle; or to actively beg or solicit by word of mouth, signs, device, animals, second parties or gestures; provided that street musicians may passively accept free will donations only in a receptacle provided for that purpose.

Section 348(A). STREET MUSICIAN DEFINED. For the purpose of this ordinance, a street musician is anyone who engages in the activity of playing any musical instrument, singing, or vocalizing with or without any musical instrument in any public place within the City of Seattle, provided that the terms of this section shall not apply to outdoor concerts, recitals or performances held under permit or approval of the City of Seattle, or the use of any vehicles or mechanical instruments to reproduce or amplify the human voice, music, or any other sound in or upon any public street or place.

Section 348(B). STREET MUSICIANS, UNLAWFUL ACTIVITY. With respect to the activity permitted by this ordinance, it is unlawful for any street musician to:

- (1) Take part in any musical performance involving more than two performers.
- (2) Engage in any street musician activity before 10:00 a.m. or after 10:00 p.m. of any given day.
- (3) Play more than one musical instrument at any given time or to use any device to reproduce or amplify any sound.



SEATTLE CITY COUNCIL

MEMORANDUM

DATE: August 22, 1974

TO: The Honorable John P. Harris
Corporation Counsel

FROM: Randy Revelle, Chairman
Public Safety and Health Committee

SUBJECT: Discussion on the Drafting of Legislation to Permit Musicians to Perform
in Parks and Appropriate Places on Downtown Streets

On August 20, 1974 the Public Safety and Health Committee considered Comptroller's File 279270, the petition of Jim Page for legislation permitting musicians to perform in parks and appropriate places on downtown streets, with proper license controls. During the hearing there was a great deal of confusion over the current regulations covering street musicians and the type of legislation that would be needed to allow this activity on downtown streets. The final action of the Committee was to direct the Chairman to meet with representatives of the Department of Licenses and Consumer Affairs, the Board of Public Works, the Park Department, the Seattle Police Department, the Law Department, and Mr. Page, the petitioner, to determine what type of legislative action if any is needed to resolve this issue.

I am therefore requesting the Law Department to send a representative to meet with myself and the above mentioned Department representatives to discuss this issue. The meeting is scheduled for 9:30 a.m., Wednesday, August 28, 1974 in my office at 1112 Seattle Municipal Building.

RR: w:eb

File copy

August 20, 1974

Statement of Bruce Chapman for
Public Safety and Health Committee

C.F. 279270 - Petition of Jim Page for legislation permitting musicians to perform in parks and appropriate places on downtown streets, with proper license controls.

I have an appointment in Olympia this afternoon on the subject of obtaining state aid for Seattle's regional parks, and I cannot get the appointment rescheduled. Therefore, I'd like to state in writing my views on the bill I am sponsoring to allow singing-for-money in streets and parks. Also, Councilman Revelle, as Committee Chairman, and Duane Woods, as Committee Assistant, have done a great deal of work on this and the larger, more far reaching companion measure, which would reform the whole peddler's code.

Two years ago, we passed an ordinance to once again allow the sale of flowers in Seattle streets. Some minor problems have resulted, but generally the change is being implemented successfully. We also have made certain changes in the ordinance on street vending of fruit, sandwiches, etc. There have been problems there too, but these are also being worked out.

However, when the balloon salesmen came in we decided it was time for a general overhaul of the whole ordinance. Those of us who favor a more liberal approach to selling activities have realized that some city administrators and business people feel we are opening the door to runaway clutter and disruption in streets and parks, while, I suppose, others feel that not only are the present prohibitions ridiculous, but any controls or regulations at all are unwarranted.

In my view, our goal should be the stimulation of interesting and colorful commercial activities in streets and parks in such places that they will not disrupt pedestrians, compete directly with businesses in fixed locations, or annoy people doing other things.

Regarding street singing, a couple of months ago, a friend who knew of my interest in encouraging a wider diversity of street activity suggested that Jim Page

see me about his problem of asking for a donation when he performs in parks or streets. I decided to sponsor his petition and to get the law changed.

Meanwhile, since administration of existing ordinances is not something Councilmembers can direct, I obviously, could not order the Parks Department or Engineering Department to let Jim sing for pay. But I did repeatedly request administrative officials to find a way to let Jim sing for money, at least in the parks, while we worked for an ordinance change.

One idea for the interim was simply to sign Jim up as a concessionnaire of the Park Department, thereby avoiding any legal problems if anyone complained. But this, in turn, created as much red tape as it cut, given the complexities of concession contracts. Finally, Jim did get a permit from the Parks Department.

A free society needs critics who can't afford space to rent or who can't get salaried gigs as much or more than those who can.

We Councilmembers might find street singing a new way to get our own points across and perhaps in a way that is just as politically effective.

#

File/Bill: CF 279625

Date: August 20, 1974

Issue: Peddler's Ordinance

Agenda Item: 5

ROSTER OF SPEAKERS FOR PUBLIC HEARING

NAME	ORGANIZATION	ADDRESS	PHONE	PRO	CON
✓ <u>Jim Page</u>				✓	
✓ <u>Don Warner & Jim Hovey</u>	✓ <u>Grand Central Station</u>			✓	
✓ <u>RALPH BRAHINSKY</u>		119 VALLEY ST.		✓	
✓ <u>Norm Hoagy</u>	<u>President</u> <u>MUSICIANS Union</u>	2620 3rd Ave	WA 3 0025		✓
✓ <u>HANK BRADLEY</u>	<u>NON-UNION MUSICIANS</u>	4210-15th Ave NE	NE 4 2674	✓	
✓ <u>MAJOR KELSEY</u>	<u>Police Dept.</u>		2178		
✓ <u>Bul Gibson</u>	<u>None</u>	1718-26th E	EA3-1851	✓	
✓ <u>Brian McFarlane</u>	<u>Board of Public Works</u>				
✓ <u>DON BEUTHIN</u>	<u>Dept. of Parks & Recreation</u>				
✓ <u>JOE HOMITCH</u>	<u>RAINBOW REP.</u>	1123 TAYLOR AVE N.	AT 3-1778	✓	
✓ <u>JOHN M. SALKID</u>	<u>NONE (Composer)</u>	Public Hotel - 504-5th AVE 50.		✓	
✓ <u>Earl A. OSBORNE</u>	<u>C.I.A.P.P.</u>	1808 Warner Ave. N.	AT 3-0073	✓	
✓ <u>PAUL G. McELWAIN</u>	<u>NONE (Student)</u>	923 E. John St., Apt 106	322-2138	✓	
✓ <u>Emory Bundy, KING</u>	<u>KING-T.V.</u>				
✓ <u>Ralph</u>	<u>D.M. L.A.</u>				
✓ <u>Howard Outkrecht</u>	<u>Seattle Center</u>				

X 2544

Thurs., Aug. 15, 1974
w. Daily

Jim Page, meet the Seattle City Council

by Dean Paton

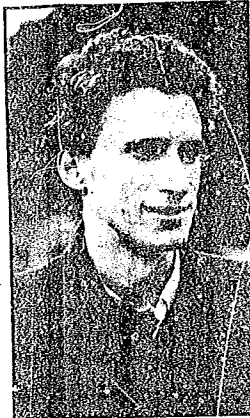
Jim Page sings songs about things he isn't happy with. Songs about religious fanatics, money, big business, law an' order, Richard Nixon (he's written a stack about Nixon), pseudo-radicals, milit'ry madness, American Consumerpigs, and the stock market.

One of his recent compositions is for the Seattle City Council. It's not that he dislikes city councils per se; it's just that he's been disillusioned by the eensie political minds on our council, so impressed by the bolts of shiny red tape their heads are wrapped with.

Unlike most of the people Jim sings about, the council — at least a portion of it — will get to confront Jim fret to jowl. Because Jim will go before the council next Tuesday, Aug. 20, at 3 p.m., and he says he's going to sing what he has to say to the council.

Jim's going to tell his audience he thinks a particular law on the city's books repressive, unneeded and stupid. The law prohibits people from standing on city streets, dropping a hat alongside them and singing.

You see, Jim makes his livelihood, supports himself, his sister and her husband, by



Jim Page
Singin' his case
to the city council

singing. Most of it he does on this campus, the rest in whichever local taverns will let him on stage between acts on Friday and Saturday nights.

He'd like to do more, but he can't. The city won't let him. "Unless," he says, "I'm blind.

"There is an ordinance against it," he says slowly, mocking at the first syllable of each word. "It's not proper to sing on a city street, unless

you're blind or handicapped." Jim didn't like it, a year and a half ago, when the motorcycle cop told him he'd be busted if Officer Friendly caught him again playing on 1st and Pike.

"So I started going out to Woodland Park," Jim said. "Played there for a while then, one day, saw a policeman on a horse, comin' right towards me; I knew what he was going to say:

"You know this is illegal."

"I said, 'Yes, I'm sure it is.'"

So Jim resigned himself to campus and the weekend tavern circuit. It was okay, he thought, and he was content until he went to the San Francisco area last summer and found balladeers, guitarists, one-man bands and string ensembles on every third street-corner from Ghirardelli Square to North Beach to Telegraph Avenue across the bay in Berkeley.

When he got back to Seattle he decided to do something about the city's antiquated law. "I found out," he said, "that they enacted the law back in the 1930's, in the depression, because they didn't want to have a bunch of unemployed people singin' on the streets. People might of thought there was a depres-

sion or something."

Anyway, he finally made his way to Councilman Bruce Chapman's office. "Bruce," Jim smiled, "said he'd see what he could do.

"He wanted me to draw up a list of criteria for who should be allowed to sing," Jim said. "Well, I figured that was okay, so I made up a list. It said that people could have a tavern owner — someone who'd heard them perform — vouch for their abilities; or, if they were new to town and didn't know anybody, they could have a 30-day trial period.

"I showed it to Bruce. He read it, turned, kinda stared out the window, and said: 'Well, Jim, we need something that would preclude the possibility of graft.'"

Jim paused, then said, "Well, Bruce, we have to give people the opportunity to be responsible."

Bruce agreed, but told Jim the criteria really needed to be more comprehensive. Jim

left, and didn't go back to see the councilman for a long time.

Until, July 1, when columnist Rick Anderson of the P-I did an article about Bruce and Jim. Bruce told Anderson that he'd fixed things up for Jim so he could play in any city park, including Pioneer Square, Occidental Park and the Waterfront.

Jim hadn't heard about it, so he called the Park Department. They snickered at him.

He went to Bruce and said, "What goes?"

"Oh, ah," Jim quoted Bruce as stating, "I was just speaking optimistically. You know, what we'd like to see happen." Jim asked him where it was that Bruce said could play on the waterfront? Bruce told him he could play at the Waterfront Park. "That's real nice," said Jim. "The park will be completed in 1976."

So Jim left, but he got a gig in the council chambers. Show time is Tuesday, August 20, at 3 p.m. And it's free.

Coley's Husky Shoe Service
4143 University Way NE
545-9973
Mon. - Fri. 8-5 Sat. 8-1:30
Coley Sanders - owner
All kinds of shoe repair

Only 2 min.
from Miller Hall
The College
Inn Pub
4000 University Way N.E.



CITY COUNCIL TRANSMITTAL

C. F. # _____

TO: Virginia Van Ness, Chairman
 Seattle Park Board
 Department of Parks and Recreation
 610 Seattle Municipal Building
 Seattle, Washington 98104

Date Sent: July 1, 1974

Reply Requested By: August 15, 1974

Subject: Revision of the High Rise Legislation for
 multiple purposes to include to cover the
 multiple use of the structure, etc., with
 more liberal provisions.

FROM: Harry Revelle

ACTION
Required

Review and Return File With Your Answer to Sender

Review and Answer Petitioner, Return File and Copy of Answer to Sender

Review and Make Recommendations, Return File and Recommendations to Sender
 In Duplicate

Prepare Legislation and Return File to Sender

Additional Information: _____

 Signature

Section
196-A
(cont.)

The Director shall provide for issuance by the City Comptroller one or more tags or plates for each motor vehicle to be used for peddling by any licensee, which tag or plate shall evidence that all required insurance has been filed and all necessary peddler's licenses obtained. The form, material and positioning of each such tag or plate shall be as prescribed by the Director. It shall be unlawful to operate or permit to be operated any such motor vehicle without having the tags or plates required by this section conspicuously posted thereon in the manner prescribed, or to operate such vehicle with illegible or expired tags or plates.

Such tags or plates shall remain the property of the City of Seattle and shall be returned to the Director immediately upon cancellation of the insurance or upon the closing of the business. (Added by Ord. 91943, app. March 19, 1963)

Section
197

BLOCKING PUBLIC ACCESS - UNLAWFUL: It is unlawful for any person, either selling, or offering for sale, any article, by peddling or soliciting in any place, to obstruct or cause to be obstructed, the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale.

Section
197-1

UNLAWFUL TO PEDDLE WHERE POSTED: It is unlawful for any peddler or solicitor to ring the bell, or knock on the door or otherwise attempt to gain admittance for the purpose of peddling or soliciting at any residence, dwelling or apartment at which a sign bearing the words "No Peddlers or Solicitors" or words of similar import indicating that peddlers or solicitors are not wanted on said premises, is painted, affixed or otherwise exposed to public view; provided that this section shall not apply to any peddler or solicitor who rings the bells, knocks on the door or otherwise attempts to gain admittance to such residence, dwelling or apartment at the invitation or with the consent of the occupant thereof.

Section
198

LIMITS - RESTRICTIONS ON PEDDLING: It is unlawful for any person whether a licensed peddler or not, to peddle any article or thing except newspapers, bread, fresh milk, buttermilk or ice within:

- 2 ✓
- (a) two hundred (200) feet of any public park, school or playground; or
 - (b) within one hundred (100) feet of licensed established place of business which deals principally in the same commodities or merchandise as those being peddled, except that merchants may peddle directly in front of their own licensed business establishments.

Where sales are to be conducted from a cart or temporary stand, the location of said cart or temporary stand must be authorized by a permit from the Board of Public Works. *or other site*

Section
198-1

DENIAL, REVOCATION, SUSPENSION: That in addition to such other grounds as may be provided by this ordinance, the Director may refuse to issue a Peddler's or a Solicitor's License if he has good reason to believe that the applicant has falsified any material fact in his application, and if he shall find that any licensee has violated any provision of this ordinance or any law or ordinance relating to fraud or misrepresentation, he shall make a written record of such finding and may immediately revoke or suspend such license pending hearing in accordance with the procedure provided in this ordinance.

JUN 13 1974

SEATTLE CITY COUNCIL

11 June 1974

'74 JUN 13 AM 10:49

Seattle City Council
Seattle, Washington

Dear City Council People:

My name is Jim Page. I am a ballad singer by trade. I have been singing in Seattle now for four years, appearing wherever I've been able, in taverns, on radio, TV, special events, and regularly at the University of Washington Campus. Many people know me in the area, and they look to see me wherever I appear. I have played many times in the parks and on the street, but was told some time ago that it was strictly illegal to do so without a permit, and that such permits were available only to blind or severely disabled persons. I love Seattle, as I have traveled and sung from California to New York City and back to the Northwest, and find the people here to be most open minded, and at the same time sensible, in their approach to the world around them. Seattle is a city of great possibilities in an area of splendid natural grandeur and beauty, and I would like very much to continue to work and live here.

Therefore, I respectfully request an amendment to the existing City Ordinance mentioned, that would make it legal for myself and others like me to carry on the great American tradition of singing songs and ballads to the people, in the parks and at appropriate places on the downtown streets. I realize that many problems could arise were such a situation to be made completely free and unregulated to anybody with a guitar and a need to be "seen". I myself take great pride in my work and do not take kindly to others who would degrade it, as I have seen happen many times in my travels. Therefore, I also request a licensing fee of at least twenty or thirty dollars. Such a fee would make a person think twice before abusing the privilege, and would eliminate those with any but the best intentions. Also, were some one to be found creating a nuisance or being undesirable in any way, his or her license could be suspended or even revoked.

I make my living singing ballads, and have done so for many years, and I know better than to "solicit" or "panhandle" from my audience. My hat is quite visible on the ground, and there is nothing that needs to be said about it.

Such soliciting and panhandling, I feel, should also be discouraged, as it is offensive and only serves to alienate the public.

This amendment, I feel, is of great interest to Seattle, as out-door music is quite colorful and attractive, and can be a great asset to the City's tourist industry. People from all over the Country comment on this kind of thing, as seen in San Francisco and Vancouver, B.C. I, for the last three summers now, have had to travel outside the City here, in order to ply my trade. Were it to be made legal in Seattle, I would be able to stay at home this summer, and sing my songs for the many friends I have made here.

I am very serious about this, and I have faith in you, as a City Council, to have good sense and judgement in this affair. I am sure that you will see, as many seem to, that this is not merely a private request, but rather a public need for a greater and more lively Seattle.

Thank you for your time
and consideration,

Jim Page

Jim Page

4407 Sunnyside Ave. North
Seattle, Washington

CITY COUNCIL TRANSMITTAL

C. F. # 279270

TO: Mrs. Virginia Galle
 Director, Dept. of Licenses & Consumer Affairs

Pub Works, Dept. of Lic.
 & Con. Affairs

Date Sent:
 6/14/74

Reply Requested By:
 ASAP

Subject:
 Petition of Jim Page for legislation permitting musicians to perform in parks and appropriate places on downtown streets, with proper license controls.

FROM: Randy Revelle, Chairman
 Public Safety & Health Committee

ACTION
 Required

	Review and Return File With Your Answer to Sender
	Review and Answer Petitioner, Return File and Copy of Answer to Sender
XXXXX	Review and Make Recommendations, Return File and Recommendations to Sender () In Duplicate
	Prepare Legislation and Return File to Sender

RECEIVED
 JUL 11 1974
 OFFICE OF MANAGEMENT
 & BUDGET

Additional Information: _____

RANDY REVELLE

Signature

TIME AND DATE STAMP

SEATTLE CITY COUNCIL

'74 JUN 13 AM 10:49

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Miss K. Chapman

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: PSEH

Geo. E. Benson
PRESIDENT'S SIGNATURE (P6)

CITY COUNCIL TRANSMITTAL

SEATTLE CITY COUNCIL

C. F. # 272270

TO: Virginia Van Ness, Chairman
 Seattle Parks Board
 Department of Parks and Recreation
 610 Seattle Municipal Building
 Seattle, Washington 98104

274 SEP 4 PM 5:02

Date Sent: July 30, 1974

Reply Requested By: August 15, 1974

Subject: Petition of Jim Page for legislation per-
 mitting musicians to perform in parks and
 appropriate places on downtown streets, with
 proper license controls.

FROM: Randy Favello

ACTION
Required

Review and Return File With Your Answer to Sender

Review and Answer Petitioner, Return File and Copy of Answer to Sender

XXXXXX

Review and Make Recommendations, Return File and Recommendations to Sender
 () In Duplicate

Prepare Legislation and Return File to Sender

Additional Information:

RANDY FAVELLO

Signature

- PEDDLERS -

Section Amended - Ordinance No. 102404 - See the attached printed ordinance.
190

Section 191 FARMER'S PERMIT TO BE ISSUED FREE; It shall be unlawful for any farmer or gardener to peddle fruit, vegetables, berries, butter, eggs, poultry, or any other farm or dairy products, raised or produced by such farmer or gardener, without first securing from the City Comptroller a permit so do to, to be known as a "Farmer's Permit", for which no fee of any kind whatsoever shall be charged. Every farmer or gardener desiring a free permit, as in this section provided, shall make application therefor to the City Comptroller and execute an affidavit, to be sworn to and acknowledged that he will, during the life of said Farmer's Permit, peddle only such articles or things enumerated in this section, as have been raised or produced by him. The City Comptroller shall then deliver to such farmer or gardener a "Farmer's Permit". The permit shall be of form, design and material as prescribed by the City Comptroller and bear the words "Farmer's Permit" and the year during which the permit is issued. Farmer's Permits shall be carried on the person of the holder of the permit while peddling such farm or dairy products. All Farmer's Permits shall expire on December 31st of the year issued. (Am.Ord.89635,app.September 28, 1960).

Section REPEALED by Ordinance No. 102404 - See the attached printed ordinance.
191-1

Section Amended - Ordinance No. 102404 - See the attached printed ordinance.
192 Also note new Section 192-1.

Section Amended - Ordinance No. 102404 - See the attached printed ordinance.
193

Section Amended - Ordinance No. 102404 - See the attached printed ordinance.
194 Also note new Sections 194-1 and 194-2; 194-3; 194-4; 194-5.

Section REPEALED by Ordinance No. 102404.
195

Section 195-A PEDDLING OF FLAGS, EMBLEMS, ETC., PROHIBITED: It shall be unlawful to peddle or give, and no peddler's license issued under the provisions of this ordinance shall authorize the peddling, or the giving, with the request for a donation in connection therewith, of any flag, emblem, badge, shield or other insignia of the United States, State of Washington, or any fraternal organization. (Am.Ord.71203,app.August 21,1941)

Section 196 SELLING OF PRIZE PACKAGES BY PEDDLERS,PROHIBITED: No Peddler's License issued under the provisions of this ordinance shall authorize the selling of prize packages or the disposition of any article or thing in any form, by chance or lot, nor shall it permit misrepresentation of the quantity, quality or origin of any article or thing so peddled.

Section 196-A It shall be unlawful for anyone to use any motor vehicle for peddling, or for the owner of any motor vehicle to permit such vehicle to be used for peddling, unless such owner maintains public liability and property damage insurance covering the use and operation of such vehicle while peddling, in the amounts hereinafter provided, and no peddler's license shall be issued for peddling with any motor vehicle unless the owner of the motor vehicle to be so used has filed with the City Comptroller a policy or policies of public liability insurance providing coverage for personal injury to or death of any one person in the amount of at least Ten Thousand Dollars (\$10,000.00), and subject to the aforesaid limit of any one person

Section 196-A (Cont'd) injured or killed, of at least Twenty Thousand Dollars (\$20,000.00) for personal injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least Five Thousand Dollars (\$5,000.00) resulting from any one accident. Such policy or policies must contain an endorsement providing for ten (10) days' notice to the City Comptroller in the event of any change or cancellation.

It shall be unlawful to operate or permit to be operated any motor vehicle for peddling unless there shall accompany such vehicle a valid and subsisting certificate from the insurer setting forth the make, type, and motor number or identification number of the vehicle and the name of the company providing the public liability insurance herein required and the insurance policy number or numbers. (Am. Ord. 91421, app. Aug. 29, 1962)

The City Comptroller shall provide one or more tags or plates for each motor vehicle to be used for peddling by any licensee, which tag or plate shall evidence that all required insurance has been filed and all necessary peddler's licenses obtained. The form, material and positioning of each such tag or plate shall be as prescribed by the City Comptroller. It shall be unlawful to operate or permit to be operated any such motor vehicle without having the tags or plates required by this section conspicuously posted thereon in the manner prescribed, or to operate such vehicle with illegible or expired tags or plates.

Such tags or plates shall remain the property of The City of Seattle and shall be returned to the City Comptroller immediately upon cancellation of the insurance or upon the closing of the business. (Added by Ord. 91943, approved March 19, 1963)

Section 197 Amended - Ordinance No. 102404. See the attached printed ordinance.

Section 197-1 Amended - Ordinance No. 102404. See the attached printed ordinance.

Section 198 LIMITS WHEREIN PEDDLING OR HAWKING ARE PROHIBITED: It shall be unlawful for any person whether a licensed hawker or peddler or not, to hawk anything except newspapers, or peddle any article or thing except newspapers, magazines, bread, fresh milk, buttermilk or ice, on any street, avenue, alley, or other public place in the City of Seattle, within the following boundaries and limits, to-wit:

(a) Beginning at the waterfront on Elliott Bay in a direct line with West Prospect Street; thence easterly to West Olympic Place; thence easterly along West Olympic Place to 1st Avenue West; thence northerly along 1st Avenue West to West Aloha Street; thence easterly along West Aloha and Aloha Streets to Westlake Avenue North; thence southerly along Westlake Avenue North and Westlake Avenue to 8th Avenue; thence southerly along 8th Avenue to Yesler Way; thence westerly along Yesler Way to Elliott Bay on the Waterfront; thence northerly along the waterfront to a point in direct line with West Prospect Street, the place of beginning.

(b) Within two hundred (200) feet of any public park, school or playground.

(c) Both sides of Rainier Avenue, between Bayview Street and McClellan Street.

Section
198
(Cont'd)

(d) Beginning at the junction of 15th Avenue N. E. and East 40th Street; thence west on East 40th Street to Brooklyn Avenue; thence north on Brooklyn Avenue to East 50th Street; thence east on East 50th Street to 15th Avenue N. E.; thence south on 15th Avenue N. E. to East 40th Street, the place of beginning, including both sides of the streets and avenues mentioned.

(e) Within the area bounded by the center line of South Stacey Street, 1st Avenue South, South Forest Street and Colorado Avenue South;

Provided, peddling in the above described areas by licensed peddlers on foot along the route of any parade for which a permit has been issued by the Police Department is hereby authorized, while such parade is in progress and for one hour prior to commencement thereof.

Provided further, that peddlers may lawfully sell flowers within the boundaries and limits herein described provided (1) that such peddlers acquire a peddlers license, the fee for which shall be Ten Dollars per year (2) that such peddlers sell only at certain locations authorized by the Board of Public Works, (3) that such peddlers are prohibited from selling within 100 feet of an established florist shop, except that licensed flower vendors may peddle flowers in front of their own stores; and (4) that sales be conducted only from a cart or temporary stand. Flower peddlers holding a peddler's license need not obtain a flower vendors license as described in Section 145-A of Ordinance 48022, as amended by Ordinance 88789, (Am.Ord. 61550, app. Aug. 24, 1931; CF. Ord. 53052, app. May 24, 1927; Am.Ord. 59400, app. May 20, 1930, Am.Ord. 61093, app. May 14, 1931; Am.Ord. 75207, app. July 31, 1946; Am.Ord. 80950, app. April 25, 1952; Am.Ord. 90074, app. Mar. 9, 1961; Am.Ord. 90480, app. Aug. 21, 1961; Am.Ord. 101076, app. June 9, 1972)

Seattle City Council NEWS RELEASE

1106 Seattle Municipal Building

Randy Revelle, Chairman
Public Safety & Health Committee

Tel. 583-2359

Further Info: Hugh McIntosh, 583-2609

600 Fourth Avenue, Seattle, WA 98104

August 13, 1974

FOR IMMEDIATE RELEASE

(Aug. 20 Hearing: Licensing Street Musicians)

Licensing of street musicians will be considered in a public hearing at 3:00 p.m. Tuesday, August 20 by the Seattle City Council Public Safety and Health Committee, according to Councilman Randy Revelle, chairman.

The hearing was prompted by a petition submitted by Seattle ballad singer Jim Page, who seeks legislation permitting and regulating outdoor musical performances. Page asserts that properly conducted performances can be colorful, attractive and an asset to tourism, helping to fill "a public need for a greater and more lively Seattle."

The Seattle Police Department and the Department of Licenses and Consumer Affairs have urged the Council to pass legislation which would authorize issuing permits for street musicians, allowing only one permit per musician and restricting the total number of permits issued.

The departmental recommendations also would limit each performance to one or two musicians using hand-carried instruments without amplifiers and within specified sound levels and only in parks and plazas -- not on streets or "pedestrian thoroughfares." The departments suggest prohibiting active begging or solicitation, but allowing "free-will donations" to be "passively collected" by the performer in an unmarked receptacle.

~~The Department of Parks and Recreation does not support the proposal.~~

The matter is officially referenced as Comptroller File No. 279270. The hearing will be held in the Council Chamber, 1101 Seattle Municipal Building, 600 Fourth Avenue.

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Your
Seattle
Department of Licenses and Consumer Affairs

Virginia Galle, Director
Wes Uhlman, Mayor

July 10, 1974

Re: C. F. No. 279270

Via: Mayor Wes Uhlman

Councilman Randy Revelle, Chairman
Public Safety and Health Committee
of the City Council
City of Seattle

Dear Councilman Revelle:

Returned herewith is C. F. No. 279270 being the petition of Mr. Jim Page for legislation permitting musicians to perform in parks and appropriate places on downtown streets, with proper license controls.

Soliciting contributions for oneself either directly or indirectly in a public place in the City of Seattle is forbidden by the Charitable Solicitation Ordinance.

It is also unlawful for peddlers or solicitors to engage in any activity in the downtown or university district areas or within two hundred feet of any public park, school or playground.

We have met with representatives from the Patrol Division of the Seattle Police Department and determined that present laws are inadequate to regulate this activity.

In the Police Department's attached report, they have identified the enforcement problems that arise, and have outlined eight recommended licensing controls, with which we concur.

In addition, we further recommend that the activity of street musicians be limited to from ten o'clock a.m. to ten o'clock p.m. and that the use of vehicles, carts, stands or other devices in conjunction with street musicians be prohibited.

If you wish to discuss this matter further, please contact us at your convenience.

Very truly yours,

Virginia Galle
VIRGINIA GALLE, Director

VG:RNI:cm
attach:

City of Seattle—Department of Licenses and Consumer Affairs, 102 Seattle Municipal Building, Seattle, Washington 98104, (206) 583-2950

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OFFICE OF MANAGEMENT
& BUDGET

ROBERT L. HANSON
CHIEF OF POLICE

THE CITY OF SEATTLE

DLR NO
YOUR NO

DEPARTMENT OF

POLICE

July 3rd, 1974

Mr. Rod Ihler, Supervisor
Division Licenses & Standards
Municipal Building
Seattle, WASHINGTON., 98104

Dear Mr. Ihler:

Under the proper circumstances the introduction of street musicians in our community with fair and uniform controls, should enhance the fabric of in-city living. Thus, Mr. Page's request for permission to give street musical performances has merit if handled properly. Present laws do not adequately provide flexibility to address this type of activity.

In terms of enforcement, any activity that impedes the movement of pedestrians and/or vehicles, unreasonably disturbs the peace or interferes with the conduct of business or other sanctioned activities, generates public complaints and poses a real problem for the police. Invariably, the police are the first to be called upon and are expected to stop such activity regardless of the gravity of the situation. Each summer police officers are confronted with problems created by unlicensed and unregulated musicians, hucksters, etc., who unwittingly create unneeded and avoidable public nuisance problems for the lack of a proper forum.

For this reason I would urge that new legislation, separate from existing laws regulating peddling and charitable solicitation be enacted that:

- 1) Authorizes the issuances of licenses or permits for street musicians as opposed to peddlers and charitable solicitors permits;
- 2) Restricts the number of performers per license or permit to one;
- 3) Restricts the number of licenses issued at any one time to a reasonable and manageable level;

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OFFICE OF MANAGEMENT
& BUDGET

July 3rd, 1974 .'. (2)

- 4) Restricts the number of licensed performers that can play at any one time in one given location to one or two depending upon the nature of the performance and the level of sound that can be produced, (i.e., guitarist and vocalist, would probably not be as loud as one trumpeter or trombonist).
- 5) Restricts the locations where performances could be permitted, to parks and plazas (such as the Pioneer Square, Waterfront and Westlake Mall areas) and expressly prohibits musical performances on pedestrian thoroughfares and streets in the downtown business district and the University District;
- 6) Restricts the type of instruments that can be used to hand carried instruments, and, expressly prohibits amplifiers and mechanical instruments such as calliopies;
- 7) Establishes a reasonably quiet level of sound emittance, based on the distance said musical performance can be heard for purposes of control and enforcement in addition to any decible level established for such purpose;
- 8) Prohibits any form of active begging or solicitation by word of mouth, signs, device, animals, second parties or gestures, except that free will donations be allowed if passively collected by the performer only, in a receptacle provided for that purpose.

I hope that these suggestions will be of assistance to you in formulating recommendations for the City Council's consideration and deliberation.

Yours truly,

R. L. HANSON
Chief of Police, Interim



R. G. SCHOENER
Assistant Chief
Patrol Bureau

RGS:CBE:ed
cc: Major Kelsey
File

**Your
Seattle
Parks and Recreation**

David L. Towne, Superintendent
Wes Uhlman, Mayor



June 26, 1974

Councilman Randy Revelle, Chairman
Public Safety and Health Committee
City Council

JUL 3 1974 REC'D

Dear Councilman Revelle:


Subject: Comptroller's File #279270, Petition of Jim Page for Legislation
Permitting Musicians to Perform in Parks and Appropriate Places
on Downtown Streets

We have talked with the petitioner relative to his desire to perform as a strolling musician in Seattle parks. I have personally heard Mr. Page play and believe his music to be of acceptable quality. However, Section 10 of our Park Code, Ordinance 98778, specifically states in part, "It is unlawful to take up collections, or to act as or apply the vocation of...strolling musician, organ grinder,...without a written permit in any park." We have enforced this rule in the past in each instance where we have been made aware of such activity.

We are especially concerned that people visiting our parks and recreation facilities have an enjoyable time. We do not want them to be harassed in any manner. We believe it most difficult to establish criteria to determine the quality of entertainment which would be provided under Jim Page's petition. Certainly, we do not want to sanction various persons or groups taking up collections for what they consider entertaining performances. We believe the authorization of entertainers to perform in city parks for donations would not be readily accepted by the majority of the users of the parks.

We are favorably impressed with Mr. Page and his abilities as a musician. We are willing to discuss this further at your convenience. However, at this time we are not able to support the petition for legislation for permitting musicians to perform in our parks subject to the taking up of a collection.

Sincerely,


David L. Towne
Superintendent X 6865

DLT:hjj

cc: V. Galle, Director
Department of License & Consumer Affairs
Robert H. Baker

Seattle Department of Parks and Recreation, 610 Municipal Building, Seattle, Washington 98101, (206) 583-5822.

Board of Park Commissioners: Mrs. V. C. Van Ness, Chairman; Thomas O. Wimmer, Vice-Chairman; Calhoun Dickinson, Mrs. Bernice Moreland, Mrs. June A. Sumpter, Herbert M. Tsuchiya, Donald S. Voorhees

Part in
Page file (CF.)
279270

19 June 1974

Seattle City Council and Park Department
Seattle, Washington

Dear Sirs:

As you already know, I am pursuing a change in City Ordinance, that would make it legal for people like myself to play music on the streets and in the parks. In so doing, I have been asked to suggest criteria to help appropriate officials decide who should and who should not be eligible for such a privilege. Having thought this over seriously and discussed it with friends and family, I have arrived at the following conclusions:

Any person desiring to obtain a permit, should first submit a letter explaining the reasons for such a request, and his or her purpose in performing for the public. A brief summary of their experience should be included, with the names of the places in which he or she has appeared within the last year, and the name of a manager or employer in the music field who could be contacted for reference. With this letter, and enclosures, three critiques should be included, from employers for whom they have performed, also within the last year. These critiques should specifically cover the performers' stage presence, attitude toward the public, and, impressions of his or her performances. These critiques should be carefully considered, and judged accordingly.

If the applicant has not performed in Seattle during the last year, and cannot supply the required references, a thirty-day trial could be granted, during which time similar critiques would be supplied by the performer from people in the community in which the applicant is performing, or, in the case of the parks, from city employees such as police officers and park department workers.

These are my suggestions for criteria. In this way, I feel, the people of Seattle will be deciding who they would like to have playing and singing on their streets and in their parks. Following these lines, and encouraging comments from the people, on individual performers, I am sure the possibility of a bad situation arising will be kept to a minimum.

Sincerely,

Jim Page

Jim Page
4407 Sunnyside North
Seattle, Washington

JUN 2 1974 REC'D

THE CITY OF SEATTLE



BOARD OF PUBLIC WORKS DEPARTMENT

BETTY L. McFARLANE, Executive Secretary
303 Seattle Municipal Building • Seattle, Washington 98104 • 583-2040

WES UHLMAN, Mayor

BOARD OF PUBLIC WORKS
GORDON VICKERY, Supt. of Lighting Chairman
DAVID L. TOWNE, Supt. of Parks and Recreation
KENNETH M. LOWTHIAN, Supt. of Water
ALFRED PETTY, Supt. of Buildings
PAUL A. WIATRAK, Acting City Engineer

Re: C. F. No. 279270

June 18, 1974

Via: Mayor Wes Uhlman

Councilman Randy Revelle, Chairman
Public Safety and Health Committee
of the City Council
City of Seattle

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JUN 18 1974

OFFICE OF MANAGEMENT
& BUDGET

Dear Councilman Revelle:

We have received Comptroller's File No. 279270, petition of Jim Page for legislation permitting musicians to perform in parks and appropriate places on downtown streets, with proper license controls.

The Board of Public Works would not be involved in this type of activity unless a table, chair, or some other object were to be set up in public area in connection with this use.

Under the Street Use Ordinance No. 90047 we would require a permit to place whatever object might be involved. If, however, a musician is just strolling along the street, we would not require any permit. If legislation is passed which approves this activity under licensing controls, the Board would separately review applications for placing items related to this particular activity in the street area.

We have forwarded the Comptroller's File to the Superintendent of Parks to address the questions related to his department. He will report separately to your Committee.

Respectfully submitted,

BOARD OF PUBLIC WORKS

Betty L. McFarlane
Executive Secretary

BLM:fb
Att.

cc: Superintendent of Parks and Recreation
Park Department
Department of Licenses and Consumer
Affairs - V. Galle, Director

REVIEWED

BUDGET ANALYST