
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: April 11, 2003

SUBJECT: **Clarification of Language Governing Artists Involvement in Special Events;
Extend the Expiration Date of Sidewalk Entertainers and Artists Ordinance**

AFFECTED COUNCIL DISTRICTS: Council District 4 and Citywide

STAFF REPORT BY: Gary Mumford

ADMINISTRATIVE DEPT. Community & Economic Development
AND CONTACT PERSON: David Dobbins

KEY ELEMENTS:

A group of artists have requested permission to hold a special event on the Library Plaza beginning Saturday, April 19th. City code relating to sidewalk entertainment and artists specifically excludes artists from displaying their art or vending during special events according to an interpretation by the City Attorney's Office. This may not have been the intent of the sidewalk entertainment and artists ordinance adopted in May 2002. The Administration is requesting that the sidewalk entertainment and artists ordinance be amended to clarify that nothing in the ordinance prohibits the City from authorizing artists from displaying or selling their own works as part of special events.

The sidewalk entertainment and artists ordinance sunsets on May 14, 2003, which was one year from the date the ordinance was enacted. The Administration is requesting that the ordinance be extended through August 31, 2003 in order to give additional time for evaluation during the summer months. This would also allow time for the Administration to review the ordinance with artists, vendors, and those who regularly take out special event permits.

MATTERS AT ISSUE:

The sidewalk entertainment and artists ordinance allows artists to display their works or perform on sidewalks and park strips within certain designated commercially zoned districts and within specific areas of City-operated parks. The City hasn't designated the Library Plaza as either a City park or a sidewalk.

Section 14.38.190 of the ordinance provides that "nothing shall prohibit the City from authorizing entertainers or vendors, other than those artists governed by this chapter," to conduct entertainment, art displays or vending operations during special events. Since the ordinance specifically excludes those artists governed by the *sidewalk entertainment and artists ordinance*, the City Attorney's Office is recommending an amendment to the ordinance to clarify that artists can participate under the special events ordinance.

Another alternative would have been to extending the “available city property” where the artists are allowed to display in the *sidewalk entertainment and artists* ordinance to include the Library Plaza. This was not the Administration’s recommendation because of a desire for more time to evaluate and identify the appropriate areas on the Plaza where artists may be allowed to regularly display. The Administration may address this in a later ordinance amendment.

POTENTIAL OPTIONS:

The Council may wish to consider the ordinance during the Council Meeting immediately following the work session in order to allow the event to be held at the Library Plaza beginning April 19. The ordinance takes effect immediately upon the date of its first publication. If the Recorder’s Office submits the publication to the newspaper by Wednesday at noon, it can be published Saturday morning. If the Council has questions or concerns that are not addressed during the work session, the Council may wish to refer the ordinance to a future work session or upcoming Council Meeting for consideration.

CC: Rocky Fluhart, David Nimkin, Alison Weyher, Ed Rutan, Larry Spendlove, JD Baxter