

## Legislation Text

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Authorizing the City Council Committee on Parks, Recreation, and Cultural Affairs, to conduct hearings prompted by the circumstances surrounding the arrest of world-renowned jazz musician, Byard Lancaster, on the cultural importance of street musicians and other street performers, and the feasibility of providing certain protections for street performers who choose to express themselves through music and other performing arts on City streets and public property.

WHEREAS, Philadelphia jazz great, Byard Lancaster, who has played for Presidents George Bush and Bill Clinton and has performed with some of the major jazz artists in the country including John Coltrane and Rahsaan Roland Kirk, was arrested on November 7, 2000, and charged with disorderly conduct for allegedly "playing various instruments and causing alarm in front of a Wawa [at 17th and Arch Streets] asking passerby for change." The charge against Byard Lancaster was subsequently dismissed; and

WHEREAS, The only restrictions placed directly on street musicians in The Philadelphia Code are found in Section 9-202 entitled "Musicians" which states that no person shall play a hand organ or other musical instrument: (a) upon any street between the hours of 10 pm and 9 am; (b) at any time in front of or within the square in which any hospital or other institution housing sick persons is located; (c) in front of any school when it is in session; (d) in front of any place of worship when services are being held; and

WHEREAS, When street musicians and other street performers abide by the basic restrictions set forth in Section 9-202 of The Philadelphia Code and do not otherwise detract from the quality of life of the citizens of Philadelphia, then they often prove to be a welcome and productive part of the cultural fabric of the City of Philadelphia which needs their artistic expressions, and should be allowed to express themselves to others through their music and other performing arts.

BE IT RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Hereby authorizes the City Council Committee on Parks, Recreation, and Cultural Affairs, to conduct hearings prompted by the circumstances surrounding the arrest of world-renowned jazz musician, Byard Lancaster, on the cultural importance of street musicians and other street performers, and the feasibility of providing certain protections for street performers who choose to express themselves through music and other performing arts on City streets and public property.