

11.68.108 - Street performers—Designated locations.

- (A) The City Council hereby designates certain locations (the "designated locations") within the Pedestrian Mall that are expressly set aside for use by street performers during the specified time frame. Such locations shall consist of:
 - (1) That area of the Pedestrian Mall formerly consisting of Third Street, as depicted on the map referred to in LVMC 11.68.040(B); and
 - (2) Other areas, each of which is no greater than six feet in diameter and is denoted on the surface of the Pedestrian Mall.
- (B) A map depicting the approximate locations of the designated locations described in Paragraph (2) of Subsection (A) of this Section shall be on file with the City Clerk, is hereby incorporated by this reference, and shall be made available for inspection during normal business hours. In the exercise of its authority under this Chapter, or in order to facilitate the flow of pedestrian traffic, or to serve the convenience of the Pedestrian Mall's patrons (or any combination thereof), The Fremont Street Limited Liability Company may adjust the exact location of any designated location described in this Subsection (B) up to twenty-five feet in any direction from the location appearing on the map referred to in this Subsection (B). Notwithstanding the previous sentence, The Fremont Street Limited Liability Company shall:
 - (1) Provide no fewer than thirty-eight designated locations of the type described in Paragraph (2) of Subsection (A) are available at any given time; and
 - (2) Otherwise ensure that no fewer than twenty-five such locations are available at any given time.
- (C) Except as allotted under the lottery system described in Subsection (D), the use of any designated location for performances by street performers within the specified time frame shall be on a first-come-first-serve basis and may not be reserved in any fashion. Any designated location shall be deemed unoccupied and available unless it is physically occupied by a person or allotted in accordance with Subsection (D).
- (D) No street performer may use a particular designated location for a performance within the specified time frame for more than two hours at a time. At the top of each odd-numbered hour within the specified time frame, any street performer who has been using a particular designated location for a performance for more than one hour must move to a different designated location in order to continue that activity or performance, regardless of the amount of time he or she spent in a designated location just before the top of that hour. The City or The Fremont Street Limited Liability Company shall establish a lottery system by which performers are allotted designated locations within the specified time frame and in accordance with which enforcement of this Section may take place. Upon implementation of the lottery system, no street performer may perform within a designated location within the specified time frame unless:

- (1) He or she has been allotted that location for that time; or
 - (2) No one has been allotted that location for that time.
- (E) In connection with a person's first use of a designated location as a street performer within the specified time frame, that person must register with the City's Business Licensing Division (or its designee) no later than seventy-two hours after that first use. The registration shall expire after one hundred eighty days. Upon expiration of a person's registration, the registrant, in connection with another use of a designated location within the specified time frame, must register again no later than seventy-two hours after that use. The registration requirements of this Subsection (E) that are triggered by the use of a designated location are not triggered separately with reference to each designated location, but rather merely with reference to any designated location. Therefore, the same person will need to register only one time within a one hundred eighty day period, no matter how many different designated locations that person uses for a performance. Registration may be anonymous and requires a description of intended use, which shall include a complete listing of characters to be performed. The Business Licensing Division (or its designee) may deny registration only in the case of failure to provide the description of intended use. A performer is not entitled to more than one registration regardless of the number of characters or acts performed.
- (F) Any person who uses a designated location as a street performer within the specified time frame must display the registration form provided by the Business Licensing Division (or its designee) at the perimeter of the designated location being used by the performer or otherwise in a conspicuous manner within or bounding the designated location.

(Ord. No. 6462, § 9, 9-16-15)