

Commission OKs relaxed rules for street musicians

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An advisory board wants the City Council to roll back new downtown rules that could erase many spots where street musicians play for money.

The Downtown Commission, in a 5-2 vote Monday, recommended making street buskers exempt from space restrictions that the City Council passed in July. Those restrictions — drafted after many complaints about crowding; drug dealers and harassment — were mostly aimed at aggressive panhandlers.

Among the new rules: banning Hacky Sack, increasing police discretion to confiscate loose possessions that block sidewalks, and space restrictions keeping panhandlers 14 feet from store fronts, kiosks and crosswalks.

Originally, street musicians would have been subject to the same increased space restrictions. But the street acts raised such an outcry this summer that the City Council decided to exempt them from the stepped-up space rules at least until mid-January.

In the meantime, the City Council asked its Downtown Commission to work out a solution to the “unintended consequences” of its newly minted rules.

But previous suggestions hit the wall, including a set of “exemption zones” that met with angry resistance from merchants. Later, a proposed musician’s permit and ID-card system led to an outcry from street performers.

The Downtown Commission’s majority is not asking that the City Council throw out its new downtown rules.

It is specifically targeting the “display” aspects of those rules that affect spaces for musicians. The group wants the city to make musicians subject to more lenient space restrictions dating back to 1994, when the City Council voted to set 6- to 10-foot restrictions on panhandlers and money-seeking street acts.

Coleen Douglas, who is helping to organize a busker’s guild for street performers, said the commission’s recommendation “makes sense for street performers. There are a lot of problems with enforcement, and (musicians) feeling like they have a boot on their neck.”

Kathy Bisbee of the Downtown Commission said the group majority wants to give musicians a chance to work out problems, through the guild and conflict mediation, involving merchants and other parties. She said that if self-determination doesn’t work, the city could go back to the 14-foot setback. But Bisbee said street musicians cause few problems downtown.

Thomas Mantle of the Downtown Commission voted against the recommendation. He said he supported the idea of musicians working out their own problems. But he wanted more of a guarantee that musicians would be subject to the increased space restrictions if the guild, and conflict mediation, don’t work.

Mike Jackson, general manager of Borders Books, said he was puzzled by the Downtown Commission’s recommendation. Jackson said rolling back aspects of the downtown rules makes it “a little more of a free-for-all.” He said more lenient space rules could cause problems if musicians decide to be uncooperative.

Bookshop Santa Cruz owner Neal Coonerty supports the Downtown Commission’s recommendation for more lenient space restrictions on street acts. But Coonerty said the city would be wise to also roll back its latest space restrictions on panhandlers to 1994 levels, to avoid singling out one group for First Amendment protection.

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