

GUIDE TO NEW ORLEANS STREET

PERFORMANCE

FRENCH QUARTER | MARIGNY

WWW.MACCNO.ORG



The Music and Culture Coalition of New Orleans (MaCCNO), is a broad-based coalition working to bridge the gap between the needs of the cultural community and legal/government policy in New Orleans. MaCCNO's mission is To empower the New Orleans music and cultural community through collective self-representation advocating in the interests of cultural preservation, perpetuation, and positive economic impact.



The Tulane City Center brings together creative makers and doers, working for a better city. As the community design center of the Tulane School of Architecture we advance community-driven ideas through collaboration, design education, and scrappy problem-solving.

PROJECT TEAM: Sue Mobley, Lindsay Girardeau, Ashley Ricketson, Gustavo Rodas, JD Scott, Lauren Taylor

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SPECIAL THANKS: Kyle Gancayco, Tara Kennedy, Nakita Shavers, Bob Simms, Juliette Tworsey, Alison Gavrell, Asante Salaam

KNOW YOUR RIGHTS WHEN PERFORMING:

*Taken from the New Orleans Code of Ordinances

- You DO NOT need a permit to perform on the street.
- You have the right to play a musical instrument in any public right of way, public park or recreational area as long as you don't exceed an average of **80db** measured at **50ft** from the source. (Sec 66-203)
- You are allowed to perform on Bourbon St. only between 6am- 8pm. (Sec 30-1456)
- You are allowed to ask for donations during a performance, as long as it is **not aggressively solicited**. (Sec 54-412 & Sec 54-419)
- You are responsible for **keeping yourself and your crowd from obstructing** the normal use of public rights of way. (Sec 146-494)
- Remember to **be courteous of religious services hours and follow additional restrictions** (including the 78 db @ 50 ft limit) while in the St. Louis Cathedral noise buffer zone. (Sec 66-208)

This Guide is for informational purposes only, and does not constitute legal advice

KNOW YOUR RESOURCES!

Have a problem to report?

- The Music & Culture Coalition of New Orleans**
mailings@maccno.com
www.facebook.com/MACCNOpage
Twitter: @musicculture504
- Nadine M. Ramsey, District C**
districtc@nola.gov
(504) 658-1030
- Mayor's Office of Cultural Economy**
Scott Hutcheson, Advisor to the Mayor
cshutcheson@nola.gov
(504) 658-4900
- New Orleans Health Department**
Dial 311 from any phone based in New Orleans
Dial 911 for health emergencies
healthdepartment@nola.gov

STORIES

I'm a full time resident of the French Quarter who would like to see more opportunities for our musicians both on the street and in the restaurants and clubs. Street musicians are an integral part of the Quarter and appreciated by many including a lot of the residents. That said we do need to educate residents, businesses and musicians about the complexities of performing on the streets of the Quarter. With a little give and take by all stakeholders we should be able to peacefully co-exist and prosper in this unique part of the City.



FRENCH QUARTER RESIDENT

I'm a community organizer and a lifelong advocate for many of the cultural groups in this city. I believe that groups like the Mardi Gras Indians, Social Aid & Pleasure Clubs, and brass bands are not fully appreciated by outsiders. People need to understand that we're not just parading around in the streets - we are honoring 300 years of history! There is a generational shift happening right now in the brass band community. Younger bands have not been properly mentored by older generations. This isn't necessarily their fault - I'm just grateful they have instruments instead of guns.



COMMUNITY ACTIVIST

When I first moved to New Orleans, my band was able to find gigs at three music clubs. But because of noise and permit violations, these venues were forced to cancel our shows. After that, we lost our booking agent and were forced to play on the streets just to stay afloat. We've had to deal with intimidation from the cops and complaints from residents - some people feel like they have the right to absolute silence indoors. I also worry about my safety in the French Quarter - I work late and carry a lot of cash. Because of the rise of smart phones, people can film my performances without asking for permission; many don't even make a donation. They feel entitled to my music.



MUSIC DUO

I play saxophone in an up-and-coming brass band. We used to play 5 nights a week in the courtyard of Miss Jean's until the cops shut our gig down. They said that we were playing too loud and that Miss Jean's didn't have a permit for outdoor music. That cost me \$400 a week in earnings! It's all part of a vicious cycle. Younger performers have to compete against each other, meanwhile, the clubs are being sued and many can't afford to even offer live music. My band plays on the streets part-time now. We've had many run-ins with the police, local businesses, and residents. I think a lot of this happens because my bandmates are black.



BRASS BAND

BACKGROUND

In 1956 a Noise ordinance was implemented to dictate... Through a series of amendments and changes the ordinance is struggling to reach a healthy balance which respects residents while preserving New Orleans' historic and unique music culture.

1959

First unified city code bans musicians from playing on city streets from 8 pm to 9 pm.

1981

Unified city code is amended to include a noise policy that utilizes decibel sound levels.

1999 OCTOBER

"Jackson Square quiet zone" limiting sound to 55 dB within 10 feet of church ruled unconstitutional

2010 FEBRUARY

Mayor's Office of Cultural Economy is established.

2012 APRIL

French Quarter Loud Speaker Ordinance passes limiting use of speakers by businesses.

2013 DECEMBER

City Council ignores year-long official sound study and drafts new amendments without informing the public.

2014 MAY

City Attorney announces the 8 pm city-wide curfew cannot and will not be enforced.

1977

City ordinance prohibiting street performance on Royal St declared unconstitutional.

NOVEMBER 1996

New Orleans Street Performers Code of Etiquette is published.

AUGUST 2005

Hurricane Katrina hits New Orleans.

JUNE 2010

To Be Continued Brass Band is shut down on Bourbon Street.

SEPTEMBER 2012

Kermit Ruffins calls a meeting and 250 + people come together to support music and culture in New Orleans. MaCCNO is formed.

JANUARY 2014

New amendments are halted after a Second Line marches to City Hall in protest.

SEPTEMBER 2015

Health Department begins Sound Check campaign.

7 STEPS TO STAY OUT OF TROUBLE

1 KEEP IT BELOW 80 dbA (AVERAGE) FROM 50 FEET AWAY



50 ft



80 dbA is more or less like standing next to an alarm clock, a vacuum, or being inside a noisy restaurant.

2 ON BOURBON & FRENCHMEN DON'T COMPETE WITH THE CLUBS

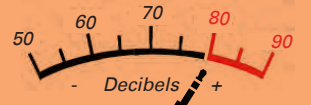


Bourbon's entertainment strip is very loud and crowded, it also has some of the most strict performance limits. It is against the law for any person to perform any type of street entertainment on the street or sidewalk of Bourbon Street from Canal Street to St. Ann Street between 8:00 p.m. and 6:00 a.m.

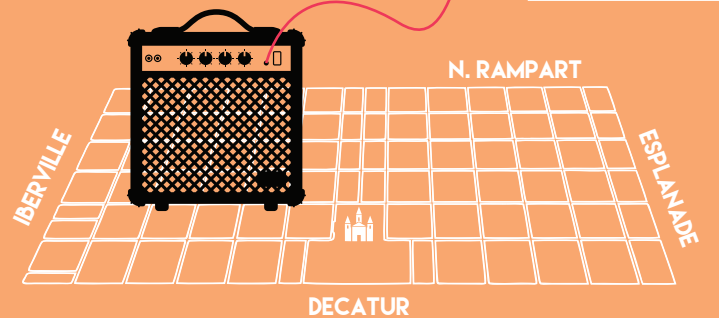
It is technically legal to perform on Frenchmen at night, however be respectful of music venues and try not to compete with their own performances as to avoid future issues.

3 DON'T BE AFRAID TO AMP UP...

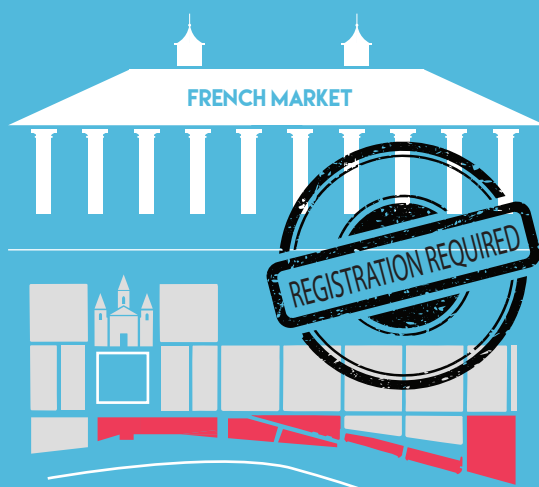
In The French Quarter (Area shown below) You are allowed to use sound-amplification equipment in the public right-of-way, including streets or sidewalks, as long as the sound produced cannot be measured above 80 dbA (average) at a distance of 50 feet from the amplifier.



< 80 dBA @ 50' (average)

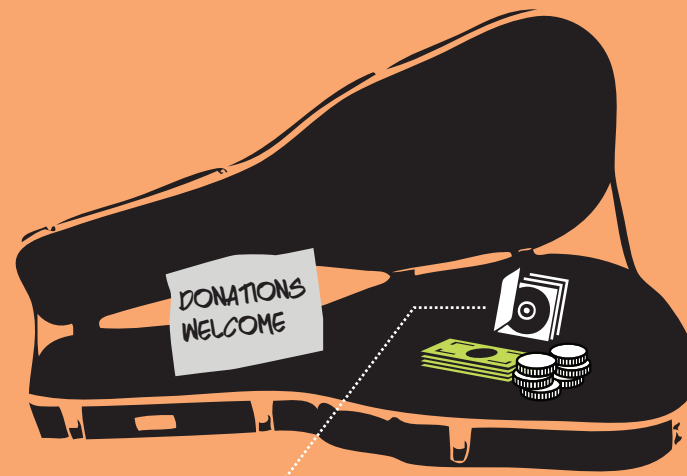


4 YOU DO NOT NEED A PERMIT TO PERFORM ON THE SIDEWALK, BUT NOTE...



You have the right to perform on public passages, i.e. sidewalks, however to perform in certain areas of the French Market, you must obtain a free registration badge. LEARN MORE INSIDE: Find out specific rules, including how to obtain a registration badge, on the next page!

5 LET THE SIGN DO THE TALKIN'



Selling CD's and other merchandise is not legal. However, you are allowed to give them away in exchange for donations. Suggesting an amount is not allowed. You have the right to deny any donations.

6 KEEP LANES CLEAR



If you draw a crowd, make sure they are not blocking public passages or impeding the right-of-way. Your performance can be shut down if they are.

There are also specific clear lanes in Jackson Square - find them on the map inside!

7 BE QUIET, FOR HEAVEN'S SAKE



It is unlawful to create any noise above 78 dbA at a distance of 50 feet from the source during religious services in St. Louis Cathedral. Conspicuous signs should be displayed outside the cathedral during the conduct of such services. Night sound level limit is 60dbA from 10pm-7am in The Square, Pedestrian Mall, Pirates and Pere Antoine Alleys.

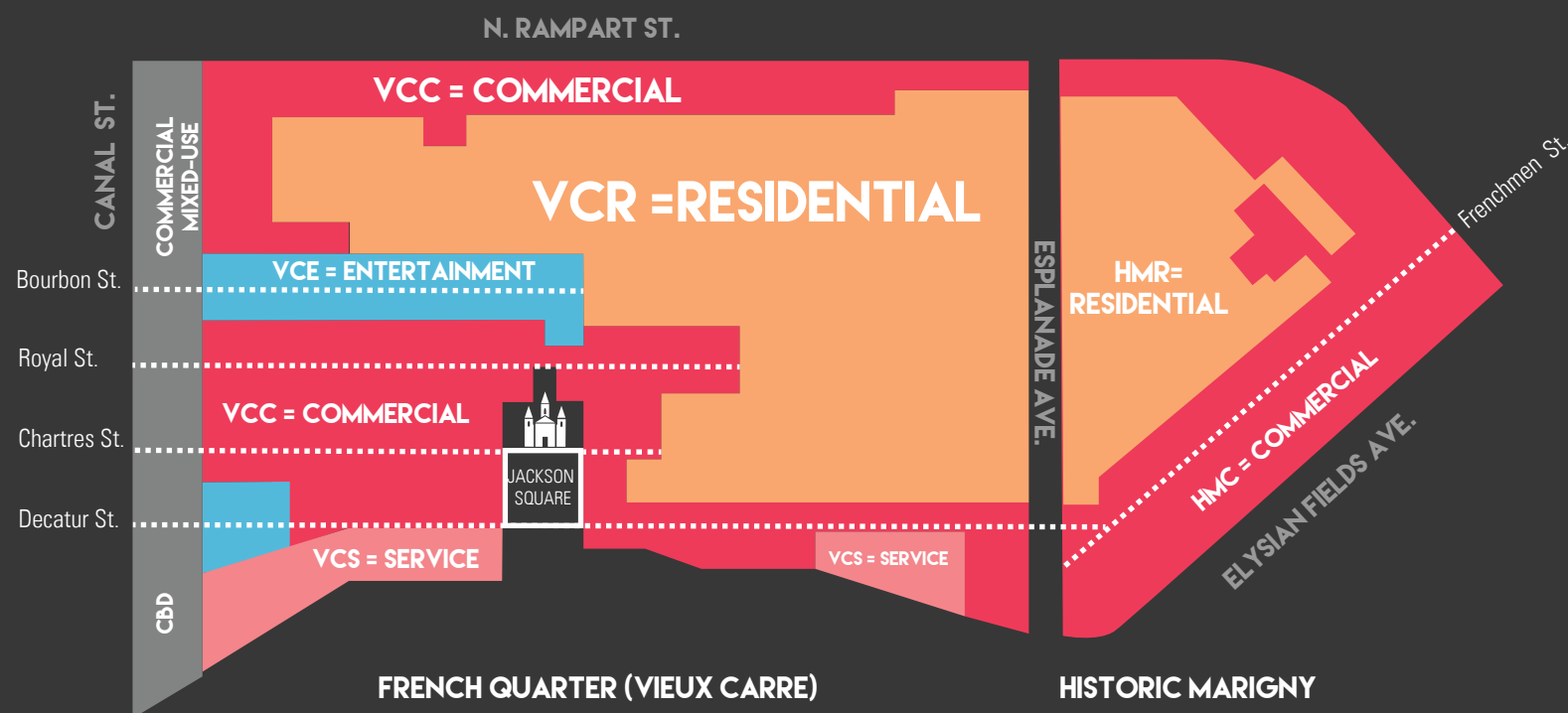
NOTICE: SPECIAL EVENT
2:00 PM
PLEASE BE COURTEOUS

Wedding Today
10:00 AM-12:00

DAILY MASS
7:30 AM
QUIET PLEASE!

SOUND LEVELS BY RECEIVING LAND USE

If someone complains about the sound level of your performance, the decibel measurement needs to be taken from the property of the person **receiving** the sound (person who complained) and **not from the source of the sound!**



SEC. 66-202

L_{10} is the sound level exceeded 10% of the time in any measurement period
 L_{max} is the maximum sound level that cannot be exceeded at any given time

		50	60	70	80	90	100 dB
SPECIAL HISTORIC DISTRICT	VCR	7:00 am - 10:00 pm					
		10:00 pm - 7:00 am					
	VCC	7:00 am - 10:00 pm					
		10:00 pm - 7:00 am					
REST OF THE CITY	VCE	all times	10 dB above ambient noise, or 60 dB, whichever is higher				
	HMR	7:00 am - 10:00 pm					
		10:00 pm - 7:00 am					
	HMC	7:00 am - 10:00 pm					
	10:00 pm - 7:00 am						
REST OF THE CITY	RESIDENTIAL + PUBLIC SPACE	7:00 am - 10:00 pm					
		10:00 pm - 7:00 am					
	BUSINESS + COMMERCIAL	7:00 am - 10:00 pm					
		10:00 pm - 7:00 am					
INDUSTRIAL	all times						



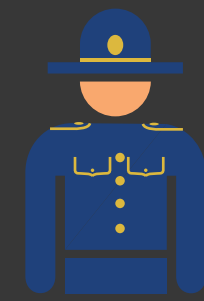
DON'T GET BURNED BY THE FIRE CODE!

Do not let your crowd block any doorway or operable windows whether open, closed, or locked at any time. (m.c.s. 22958)



Umbrellas with a diameter of 8 feet or less do not need a permit. Tents and canopies require a permit, which are granted by the Fire Prevention Division of the New Orleans Fire Department. (sec. 26-15 and m.c.s. 22958, sec. 105.8)

KNOW WHO'S AROUND!



STATE POLICE

Between 50-60 troopers help patrol NOPD's 8th district (French Quarter, CBD & Marigny).



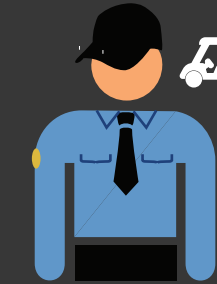
NEW ORLEANS POLICE DEPARTMENT

Main police force in the city. The French Quarter falls on its 8th District.



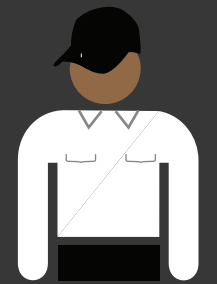
NOLA PATROL

An unarmed civilian police force in the French Quarter, aimed to crack down on bad drivers and chase gutter punks off.



FRENCH QUARTER TASK FORCE

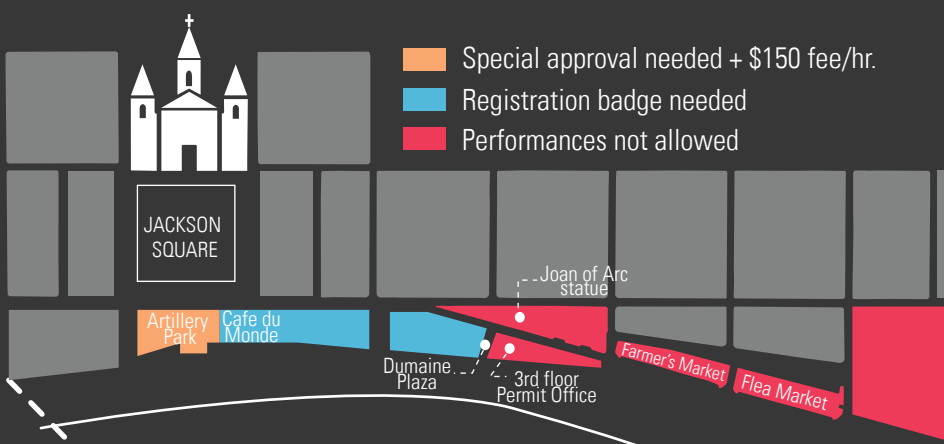
A new patrol of off-duty New Orleans police officers dedicated to the city's historic epicenter. They are equipped with all-terrain vehicles.



FRENCH MARKET CORP. SECURITY

The French Market Corp. security personnel patrols the entire French Market District 24 hours a day with an "hourly concentration" on Jackson Square.

SPECIAL AREAS AND REGULATIONS



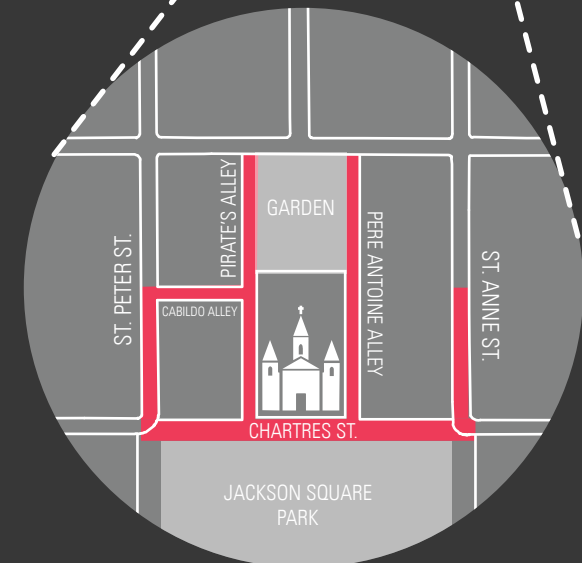
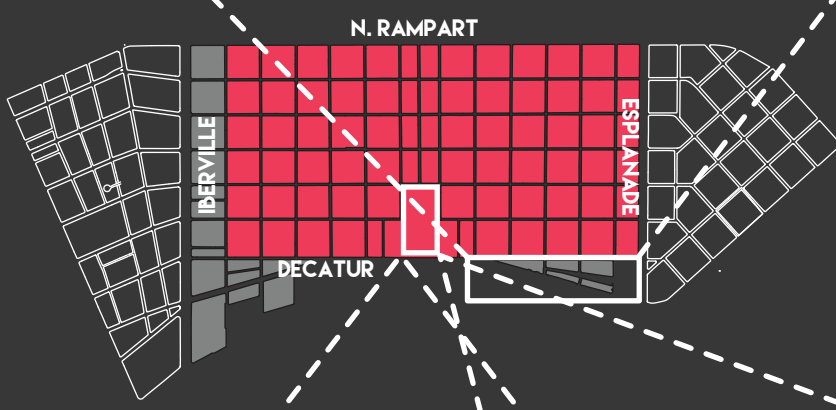
PERFORMING IN THE FRENCH MARKET

The French Market Corporation is a public benefits corporation that returns a portion of its revenues each year to the city. It oversees a six-block area from the historic market at North Peters Street to the Upper Pontalba building at Jackson Square.

REGISTRATION BADGES

In order to perform in the French Market (private property, not including sidewalks and public rights of way) one must obtain a registration badge from the French Market Marketing Office located at 1008 N. Peters St., Floor 3. Registration badges are free of charge with a current state ID or passport.

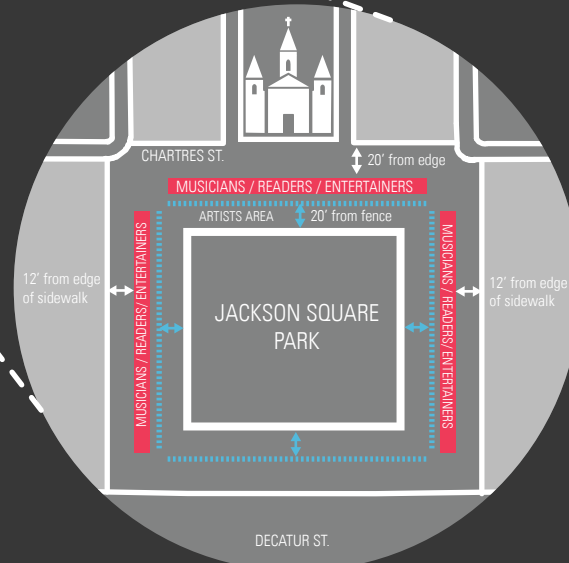
- No amplification allowed
- Cannot play for 2+ hours in same location
- Must move if asked by law enforcement
- Registration badges are to be displayed at all times
- Maximum 4 people per location at one time (other than large group designated locations)
- Brass bands permitted only in Dumaine Plaza and Washington Artillery Park (note that prior booking takes precedence)



SEC. 66-208

ST. LOUIS CATHEDRAL NOISE BUFFER ZONE

Unlawful to create any noise above **78 dB** at a distance of **50 ft from the source** during religious services in St. Louis Cathedral. Conspicuous signs are to be displayed outside the cathedral during the conduct of such services.



SEC. 146-494

JACKSON SQUARE CLEAR LANES

No performer or vendor shall conduct his performing or vending activity in the clear lanes around Jackson square, as to facilitate pedestrian access to and around the square. Musicians and performers cannot use the space reserved for artists between **8am-6pm**.

NEW ORLEANS STREET PERFORMERS CODE OF ETIQUETTE

DEVELOPED BY THE COALITION TO PRESERVE THE ART OF STREET ENTERTAINMENT (1996)

The New Orleans street performers community is self-regulated and thus has developed an unwritten set of rules in order to keep its vibrant living community of artists, performers, residents, visitors and business owners, enjoyable.

- You have an obligation to preserve the heritage of New Orleans music and culture.
- Do not block doorways of any businesses or residence and audience should do the same. Pedestrian traffic should not be obstructed in any way.
- No one "owns" a spot, it is however acceptable to ask another performer how long they plan on staying at a spot, without being demanding or rude.
- Set up at reasonable distance from other performers as not to overlap.
- On busy days, share spaces and alternate with others performers so as to give everyone the opportunity to perform.
- Play instruments with moderation, and take breaks to let yourselves and other people rest.
- When playing outside a house of worship, play in such a manner as to not disrupt services
- Respect fire lines and emergency vehicle lanes.
- If disputes arise, solve them reasonably amongst yourselves and without getting police authorities involved.
- Welcome new performers and teach them these rules.
- Clean up your space after a performance.
- Respect the right of others to live, work, visit and perform in the city.