



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD



A GUIDE TO PUBLIC ART AND BUSKING IN CAPE TOWN

*"Creativity is contagious.
Pass it on."*

- Albert Einstein

Public art, or street art, and street performance or **busking**, are both welcomed and encouraged by the City of Cape Town's Arts and Culture Branch. Art creates more attractive public spaces that helps to uplift communities and drive social change; busking offers unique entertainment with a local flavour that generates income. Both showcase the wealth of creative talent in the city to the public and visitors, and can provide future opportunities.

However, these activities require approval and permits, and respect for the by-laws and the citizens of Cape Town. This booklet is a short guideline to those requirements.

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1. Public art

Public art plays many roles: it beautifies shared spaces, uplifts communities, tells rich stories, preserves history and powers social change.

Across the world, street artists and artworks inspire people and provoke new thinking. It has become an important focus in Cape Town, giving a truly unique flavour to public and community spaces.

The City, via its Arts and Culture Branch, is committed to nurturing and promoting local artists, providing them with an enabling environment in which to express themselves.

Public art is not graffiti - it is a legal creative endeavour that requires a permit from the City.

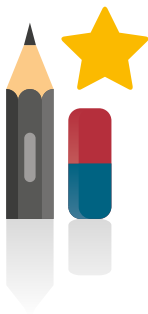


The value of public art

Public art improves the lives of citizens by:

- ★ renewing neglected areas;
- ★ making public spaces more beautiful;
- ★ encouraging people to share and discuss culture;
- ★ increasing the use of public spaces through a more attractive environment;
- ★ attracting visitors;
- ★ adding to community identity;
- ★ making art accessible to everyone;
- ★ increasing collaboration between artists; and
- ★ creating job opportunities for artists.

We encourage artists and the public to explore the city's neighbourhoods to see some of the exceptional artwork on open display. An excellent option are the many murals in Woodstock.



Temporary public art applications

Temporary public art is a creative mural, intervention or installation that, once a permit has been issued, is allowed to remain in place for a period of **up to two years**. The step-by-step process to apply is shown below. There is no cost for a permit.



Temporary public art

The maximum exhibition period is **24 months**.

Mural

**Public art
intervention**

**Temporary
installation**

Contact the Arts and Culture Branch to request a public art application form, and return the completed form with supporting documents and information.

The completed application is circulated to internal and external parties affected. They must respond within five and 14 working days respectively.

**No
objections**

A permit is issued and the applicant advised via e-mail.

Objections

A permit will not be issued and the applicant advised in writing. S/he may revise the proposal and/or location.

Special circumstances

Artwork on buildings older than 60 years or within a heritage protection overlay zone (HPOZ) requires a permit from Heritage Western Cape first.

If the artwork is considered to be outdoor advertising, contact Environmental and Heritage Management on 021 400 6519.

Permanent public art applications

Permanent public art is a creative commission, application for producing art on public land, or a donation of a mural, sculpture or installation that, once a permit has been issued, is allowed to remain in place for a period of **more than five years**. The step-by-step process to apply is shown below. There is no cost for a permit.



Permanent public art

The exhibition period exceeds **five years**.
The process time for applications is +/- four months.

Commission

**External
application for art
on public land**

Donation

Contact the Arts and Culture Branch to request a public art application form. Return the completed form with supporting documents and information at least 30 days before a public art working group meeting.

Feedback from stakeholders is considered at the next public art working group meeting. Supported proposals are sent to Council for final approval.

The public art working group may suggest amendments and the application will need to be resubmitted.

Once approved, the applicant is advised in writing, together with any terms, conditions or recommendations.

Images of implemented artworks must be sent to the Arts and Culture Branch for record-keeping purposes.

2. Busking

Street performance or busking is the act of performing in public places for voluntary donations. It dates back to ancient times and is practised all over the world. Busking provides wonderful public entertainment and takes many forms.

Performers may be musicians, singers, dancers, acrobats, jugglers, clowns, magicians, mime artists, puppeteers, storytellers, poets or actors, among others.

Like street art, busking in Cape Town is encouraged, but requires a permit from the City.

About busking permits

A permit is required for busking in public places or on City property. Busking without one is against the law and will not be allowed.

Where do I get a permit?

Contact the City's Arts and Culture Branch at mxolisivincent.mtwana@capetown.gov.za or chad.hearne@capetown.gov.za.

How much does a permit cost?

It's free.

Are there legal requirements?

Yes. Busking is subject to all relevant legislation, including but not limited to:

- the By-law Relating to Streets, Public Places and the Prevention of Noise Nuisances; and
- the Animal By-law.

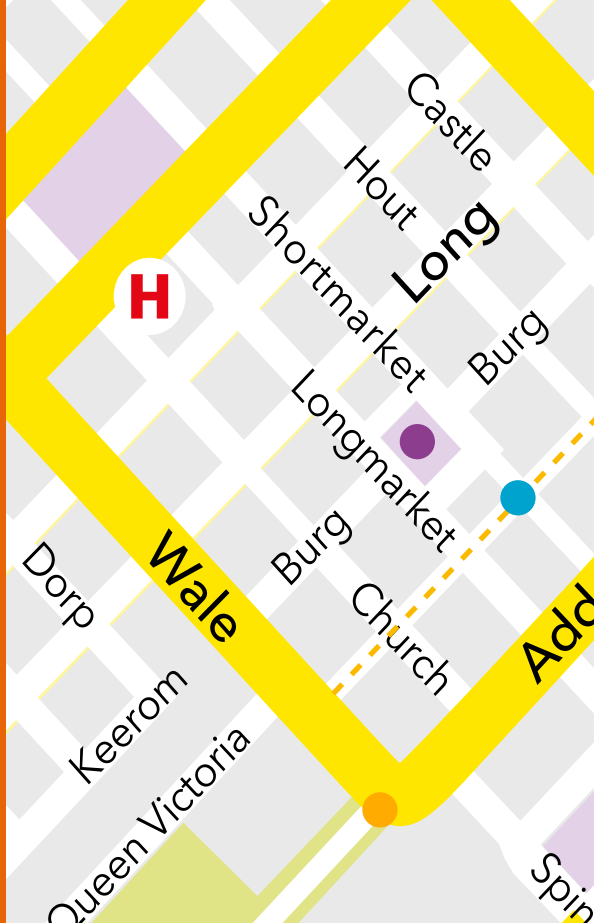
Are there any restrictions?

Yes. The act may not involve animals or dangerous materials or items, which include but are not limited to:

- acts that involve fire; and
- acts that involve sharp or dangerous implements.



Recommended busking locations in the CBD





- Bart Simpson Statue, Cnr Waterkant St and St George's Mall
- Cnr Shortmarket Street and St George's Mall
- Fountain, St George's Mall (in front of Woolworths)
- INTEC College, St George's Mall
- Company's Gardens - up to South African Museum. Note: excluding Government Avenue
- Greenmarket Square
- St George's Mall

Performance duration and times

Duration

Performances may only last for 60 consecutive minutes at any one location. This must include the setting up, breaks, and packing up. After 60 minutes, the busker must move to a different location, at least one full street or block away, or to a different park.



Times

Performances may only take place **between 08:00 and 21:00**, on any day of the week, unless:

- alternate times have been agreed to by the City; or
- they affect property owner(s).



Public parks

When performing in public parks, buskers may only perform during the normal park hours or while the park is open to the public, unless an alternative has been agreed to by the City.



Rules regarding young performers

There are limitations for public performers under certain ages, as follows:

- 👍 Proof of consent from a parent or legal guardian is required for performers and applicants under the age of 18.
- 👍 During performances, performers under the age of 15 must be accompanied by a parent or legal guardian, who is 18 years or older, at all times.
- 👍 Performers under the age of 15 are not allowed to perform during school hours unless as part of an official school outing, and with consent of a parent or legal guardian.



Sound and volume levels

- 🔊 Any performance involving sound must be sited at least 250 metres away from any other performance that does the same.
- 🔊 The volume must be kept to a reasonable level.
- 🔊 Performer/s must stay within the requirements of the By-law relating to Streets, Public Places and the Prevention of Noise Nuisances.
- 🔊 Performers must respect the wishes of nearby residents and visitors, particularly with regards to the volume of the performance and crowd response.
- 🔊 Large speakers are not permitted.
- 🔊 Trumpet players and Marimba bands are asked to be mindful of their sound levels.
- 🔊 If performers do not comply with the busking guidelines and relevant legislation, they must expect to be asked to lower the volume or relocate.
- 🔊 If necessary, an application for a noise exemption certificate must be obtained from City Health at **sigmund.badenhorst@capetown.gov.za** or **thando.guzule@capetown.gov.za**.

Respecting officials and citizens

Buskers must cooperate with reasonable requests by any member of the South African Police Service, The City's Metro Police and Law Enforcement departments, relevant parks board or any other designated official. They are asked to also respect local business owners and people at work.



About non-compliance

If performers and buskers do not comply, either to all the busking rules and regulations or the relevant City legislation, they could:

- ✓ be told to lower their volume;
- ✓ be told to find a new location;
- ✓ have their performance stopped;
- ✓ be issued a non-compliance notice in terms of the relevant by-law; or
- ✓ be issued a fine in terms of relevant by-law.

Exemption from rules and regulations will only be considered upon a written request to the City's Manager: Arts and Culture.



Voluntary donations

Performing for voluntary donations is acceptable, but certain guidelines apply.

- ★ Buskers may give audiences an opportunity to provide voluntary donations by placing a container or receptacle close to the area in which they are performing, or by asking the audience for donations.
- ★ The performer's money collection container must not obstruct pedestrian traffic.
- ★ Buskers may not continue to ask a person for a donation, or follow them to do that, if one has been declined.
- ★ Buskers may not approach outside tables at restaurants to ask for donations from patrons.
- ★ Buskers may use third-party advertising as part of their performance, provided it is in line with the City's Outdoor Advertising and Signage By-law of 2001.



The busker's promise

In order to maintain their permits and stay out of trouble with citizens or the law, street performers and buskers are urged to be courteous and aware, and commit to the following:

- ♥ I will not sell goods or services, or one-on-one consultations for money, fee or reward.
- ♥ I will not block doorways, display windows, sidewalks, paths, sidewalks, bicycle routes or city streets and roads.
- ♥ I will not jeopardise the comfort and safety of others.
- ♥ I will be mindful of the wishes of businesses and visitors to my city.
- ♥ I will ensure that my performance does not harm me or the public.
- ♥ I will keep the area in which I am performing clean and tidy.
- ♥ I will look neat, be presentable and have sober habits to show that I respect my talent and my audience.

Contact details

The City of Cape Town:

- Arts and Culture Branch **021 444 0146**
- Environmental and Heritage Management **021 400 6563**
- Law Enforcement **021 951 5390**
- Property Management **021 400 6552**
- Heritage Western Cape **021 483 5959**



For more information, please
contact the City of Cape
Town's Arts and Culture
Branch at **021 400 5944** or
artsand.culture@capetown.gov.za



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Making progress possible. Together.