

OFFERED BY COUNCILOR MICHELLE WU



# CITY OF BOSTON IN CITY COUNCIL

## AN ORDINANCE REGARDING ACOUSTIC LIVE ENTERTAINMENT

*WHEREAS:* Boston is home to over 40,000 small businesses that provide 170,000 jobs, representing 44% of employment for the city’s private, for-profit businesses and anchoring economic opportunity and vitality in our neighborhoods; and

*WHEREAS:* To support neighborhood retail businesses, the City of Boston introduced and implemented a 10-day Main Street District event in May 2015 called Acoustic on Main, which celebrated and promoted local small businesses and performers by eliminating the licensing and fee requirements for acoustic live entertainment performances in small businesses under certain conditions; and

*WHEREAS:* The successful Acoustic on Main pilot program was repeated in Boston Main Street Districts in August 2015 and December 2015; and

*WHEREAS:* Removing permitting and licensing barriers for neighborhood small businesses to host acoustic performances year-round can help increase foot traffic in the City’s business districts and incentivize customers to “shop local”; and

*WHEREAS:* The City Council and Mayor Martin J. Walsh share a commitment to strengthening neighborhood business districts, and the Boston Acoustic Live Entertainment ordinance is the result of active collaboration with the Walsh Administration over several months; *NOW*

*THEREFORE BE IT ORDERED:*

City of Boston Code, Ordinance Chapter XVII is hereby amended by adding at the end thereof, the following new section and subsections.

**Chapter 17, Section 19.1**

(a) Any business located in the business districts of the City of Boston may hold acoustic performances within the perimeter of their business without obtaining a live entertainment license or change of occupancy provided they are compliant with the following requirements:

- (i) The business is registered with the Office of the City Clerk and obtained a business license;

- (ii) There are no more than five (5) acoustic performers and/or musicians at a single venue at one time;
- (iii) Performances are limited to the hours of 10:00 a.m. to 10:00 p.m.;
- (iv) There is no amplification of sound except for one microphone;
- (v) No food or beverage service unless the business is a licensed food establishment or bar; and
- (vi) The business maintains handicap accessibility during performances.

Businesses offering such acoustic performances as described herein remain subject to any other existing requirements such as statutes, including the requirements of M.G.L. Chapters 138 and 140 if applicable; as well as any other ordinances, codes, rules, regulations, licenses, certificates, permits, and other applicable requirements.

(b) The Boston Police Department shall be authorized to issue violations and/or fines for any businesses found not in compliance with 17-19.1(a).

(c) This ordinance shall be effective upon passage in order to establish a Pilot Program relating to acoustic performances in businesses. The provisions of this section shall expire on December 31, 2017.

Filed On: December 7, 2016

**DEC 14 2016**  
*In City Council* \_\_\_\_\_  
*Passed*  
*Theresa Loney* City Clerk  
*Approved* \_\_\_\_\_  
*Mayor* \_\_\_\_\_ **DEC 14 2016**

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In City Council REFERRED TO  
COMMITTEE ON

DEC 07 2016

Government Operations

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CITY OF BOSTON  
IN CITY COUNCIL

*Deborah H* 20/16

THE COMMITTEE/CHAIR  
RESPECTFULLY REPORTS THAT THE MATTER  
WITHIN OUGHT

*Elizabeth*  
*Richard P. Spadaccia*

CHAIR

ACCEPTED,

CITY CLERK

DEC 1 2016