

Regulations for street artists

Article 1 – Definitions

(a) A “street artist” refers to “any person who engages in public artistic activity in the fields of music, the performing arts or the circus, excluding any activity of a commercial nature (except for offering for sale or exhibition with a view to the sale of artistic productions by their author)”. A “street artist” is not considered to be a person who practices handicrafts and produces, in the public space or elsewhere, any object intended for sale.

(b) The term “public space” refers to the definition set out in Article 1 of the General Police Regulations.

Article 2 - Requirement to be in possession of a permit and a valid badge

§1. In order to perform in the public space, the persons referred to in Article 1 (a) of these regulations must be in possession of the following documents:

- a valid permit from the mayor, the model of which is adopted by the College of the Mayor and Aldermen, which can be obtained in the form and conditions set out in Articles 3 to 4 of these regulations.

- a valid ad hoc badge, the model of which is determined by the College of the Mayor and Aldermen, which can be obtained in the form and conditions set out in Article 2 of these regulations

§2. In the case of a group, each member must have a personal permit and a badge. With regard to respect for public peace and order and in order to limit gatherings, unless an exemption is granted by the Mayor or his/her delegate, the number of members in a group is limited to six, except in the UNESCO area, where it is limited to two. All requests for exemption should be addressed to the Culture Department of the City of Brussels.

§3. The permit and badge may not be used for any other artistic activity than that stated on the permit and badge.

§4. The permit and badge are issued on a precarious and revocable basis, without prejudice to a penalty imposed in accordance with Article 9 of this Regulation.

Article 3 - Authorisation of the Mayor

§1. The request for a permit must be sent to the Culture Department of the City of Brussels, using the appropriate form, depending on whether it is activity which incorporates sound or is silent. A copy of the artist’s Belgian identity card or a valid residence permit (paper or digital version) must be attached to the form.

§2. The permit is issued by the Mayor or his/her delegate, who will have checked beforehand that the conditions for obtaining the permit have been met.

§3. Two categories of permits can be issued:

(a) a sonic activity permit for performances emitting audible noise;

(b) a silent activity permit for performances that do not emit audible noise such as acrobatic gymnastics, dance, mime, magic, juggling, pantomime, acrobatics, circus performances, etc.

§4. The permit is personal and non-transferable.

Article 4 - Conditions for obtaining the permit

In order to guarantee citizens and tourists a respectful living environment on a daily basis, and in compliance with the regional decree of 12 November 2002 on combating neighbourhood noise, the applicant must hold a Belgian identity card, a valid residence permit or a valid passport. Moreover, the applicant must comply with social legislation and undertake to comply with these regulations. The granting of the permit to a street artist is also subject to one of the following two conditions:

(1) present a diploma

The applicant must hold an artistic diploma (Belgian or foreign) which is clearly linked to the artistic activity for which he/she is applying for a permit.

or

(2) obtain the favourable opinion of the Selection Committee.

The College of the Mayor and Aldermen appoints a jury which will be responsible for assessing the qualities of the various artists wishing to perform in the public space of the City of Brussels, in accordance with the details set out below.

(a) Composition of the Selection Committee:

The Selection Committee may validly deliberate on condition that it is composed of at least two members of the Arts in the Public Space Unit of the Culture Department of the City of Brussels, who are experts in the field of art in the public space.

(b) Role of the Selection Committee:

The Selection Committee, which meets at least twice a year, assesses the quality of the applicant's performance and the variety of his/her repertoire (for example, the applicant may play for one hour without repeating the same songs). It shall give its opinion to the Mayor or his/her delegate, as well as evaluate the applicant's ability to comply with all the conditions of practice referred to in Article 7 of these regulations.

Article 5 - Duration of the permit

Permission to play will be granted by the Mayor or his/her delegate for a period of two years. Where appropriate, the permit will specify the locations where the artist may or may not perform. Where necessary, the Mayor may make the permit conditional on the artist taking out civil liability insurance, if his/her activity involves risks to passers-by.

Article 6 - Artist's declaration and badge

In view of the limitation on the number of artists authorised to perform in the City's public space as set out in Article 8 of this regulation, an artist wishing to perform during a given two-month period (January-February; March-April; etc.) must declare to the City his/her intention to perform in the City's public space during the period in question in accordance with the procedure to be determined by the College. This declaration should be made no earlier than eight weeks and no later than two weeks before the start of the period in question.

If the artist has a valid permit for the entire two-month period covered by the declaration, and if, at the time of the artist's declaration, the maximum number of artists who have already made such a declaration for the period in question has not been exceeded (see Article 8 below), the City will issue an acknowledgement in the form of a badge attesting to the receipt of the artist's declaration regarding his/her wish to perform during the two-month period in question.

If the artist doesn't have a permit valid for the entire two-month period covered by the declaration, and if/or, at the time of the artist's declaration, the maximum number of artists who have made such a declaration for the period in question has been exceeded, no badge will be issued, and the artist will therefore not be able to perform in the City's public space during the period in question.

Article 7 - Conditions of practice

A - Respect for public space, peace and order.

§1 The artist shall take all necessary measures to ensure compliance with regulations on noise and other disturbances. Thus, the intensity of the music shall not give rise to justified complaints from local residents. In any event, the audible noise level may never exceed 60 dB at 3 metres from the source.

§2. Artistic performances may not under any circumstances compromise public order, safety, the environment or ease of passage.

The artist shall take all necessary measures to ensure the premises used are kept perfectly clean and tidy. The artist shall take care not to soil or damage the public highway, monuments, plantings or lawns. He/she shall restore the premises to their original state.

§3. Artistic performances may not be detrimental to the interests of established traders, local residents or other users of the public highway. The artist must place himself/herself in such a way that his/her presence does not impede access to shops, terraces, galleries, private homes or public buildings. The artist must not obstruct traffic and the free passage of emergency vehicles must be guaranteed at all times. In addition, the free movement of other users and pedestrians must be guaranteed at all times by a passageway kept free of any obstacle with a minimum width of 1.5 metres. The artist may not cover or obstruct, even partially, road signs, public utility signs, ground access plates to the valves and networks of the utility companies, ventilation grids of the electrical generators of SIBELGA S.A. and the STIB's air vents.

§4. The artist must comply with the legislation and regulations in force on the subject as well as with the injunctions of the Mayor, his/her delegate or the police services aimed at maintaining public safety, peace, health or cleanliness.

§5 The artist must always be in possession of his/her Belgian identity documents or a valid residence permit, his/her permit and badge in order to be able to present them to the police upon request. The badge with a photo must be displayed in an obvious and visible manner.

§6. The artist shall be responsible for any costs that his/her activity could generate (various taxes, SABAM, etc.). In any event, no costs may be charged to the City.

§7. Authorised locations.

In the UNESCO ZONE

1. Boulevard Anspach - In the pedestrian zone at the intersection with Rue Henri Maus - In front of the Stock Exchange
2. Forecourt of the Madeleine church
3. "Agora" square (square located at the top of the Marché aux Herbes street, between the Place d'Espagne and the exit of the Galeries Royales Saint-Hubert). Not on the pavement in front of "EXKI".
4. Rue Marché aux Herbes, at the intersection with Rue Tabora - On the pavement on the side of the jeweller.

Outside the UNESCO ZONE

5. Mont des Arts - Stairs of the Mont des Arts; Flight on 'The Square' side, behind the Fountain
6. Place Anneessens
7. Place Poelaert - Top of the lift
8. Place Sainte-Catherine - On the square at the back of the church, opposite the "Tour Noire". Not in front of St Catherine's Church.
9. Square de la Putterie - On the path leading to the entrance of the Central Station
10. Brussels Park
11. Place de la Monnaie - On the rue de l'Ecuyer side, along the barrier at the exit of the underground car park, near the kiosk
12. Place du Jeu de Balle
13. Boulevard Anspach - In the pedestrian zone in front of the de Brouckère metro station
14. Boulevard Anspach - In the pedestrian zone, next to the UGC cinema
15. Boulevard Anspach - In the pedestrian zone at the intersection with Rue Marché aux Poulets (on the side of the "Quick").
16. Rue Neuve - At the intersection with Rue de Malines, in front of the "Orange" shop, opposite the "Quick".
17. In Bois de la Cambre
18. Ambiorix square
19. Breughel the Elder Square (below the lift)
20. Atomium Esplanade
21. Place Peter Benoit (Neder-over-Hembeek)
22. Place Emile Bockstael

Only the College of the Mayor and Aldermen can decide to make changes to this list of locations.

B) Authorisations for noise activities.

§1. The artist may only perform in authorised venues as referred to in §7 below. In addition, he/she may not set up within thirty metres of another artist who performs sonic or silent activities. The Mayor or his/her delegate may limit the list of places available to a particular artist because of the specificities of his/her performance. The same artist may not perform in the same place during two successive time slots.

§2. In addition, permits for sonic activities are only valid for artistic performances during even hours (10.00 to 11.00, 12.00 to 13.00, 14.00 to 15.00, 16.00 to 17.00, 18.00 to 19.00 and 20.00 to 21.00). Any sonic activity performed on the basis of a permit issued in line with these regulations is prohibited during odd hours (from 11.00 to 12.00, from 13.00 to 14.00, from 15.00 to 16.00, from 17.00 to 18.00 and from 19.00 to 20.00). The use of an amplifier is forbidden (see General Police Regulations of the City of Brussels, article 91). In any case, and in compliance with the spirit of the decree of 21 November 2002 (Brussels-Capital Region) relating to combating neighbourhood noise, the audible noise level may never exceed 60 dB at 3 metres from the source.

C) Authorisations for silent activities.

§1. The beneficiary of a silent activity permit may perform at a location of his/her choice in the above-mentioned list of locations (art 7, A §7). The artist will take care to respect and adapt to other events that may occur in the various public spaces and will take care not to set up within thirty meters of another artist who performs sonic or silent activities.

Article 8 - Maximum number of artists who may perform in the public space.

Unless an exemption is granted by the Mayor or his/her delegate, the number of artists who may perform in the public space of the City of Brussels is limited to 50 per two-month period (January-February, March-April, May-June, etc.). Unless an exemption is granted by the Mayor or his/her delegate, the number of artists who may provide silent performances in the public space of the City of Brussels is limited to 30 per two-month period (January-February, March-April, May-June, etc.).

Article 9 - Penalties

§1. In particular, in compliance with the spirit of the decree of 21 November 2002 (Brussels-Capital Region) relating to combating neighbourhood noise and other regulations in force, the Mayor or his/her delegate may suspend the permit issued in the event of repeated non-compliance with these regulations. The permit may also be suspended in case of a legislative provision on the subject as well as with injunctions aimed at maintaining public safety, peace, health or cleanliness.

If an artist refuses to comply immediately with the police injunctions, the items used to provide the activity may be seized by administrative order, against receipt (see General Police Regulations of the City of Brussels, Article 11). The interested party, duly provided with the

receipt, may recover the seized items, from the sixth working day and up until six months from the day of seizure, at the Culture Department (the address is stated on the receipt). The permit will be suspended for a period of two months.

Despite a first seizure of instruments, if the artist re-offends, the items used to provide the activity may be seized by administrative order, against a receipt, for a period of six weeks, and at the latest six months from the day of seizure. The permit will be suspended for a period of six months.

Within three days of the declaration of an offence, the police must report the offence committed by a street artist to the Culture Department of the City of Brussels. The Culture Department will compile a file containing the offences (date, place, type of offence, etc.) which the artist can consult on request. The artist shall not be entitled to claim any compensation for the suspension of his/her permit.

Article 10 - Entry into force

This regulation replaces the regulation concerning street artists adopted by the Communal Council on 21/06/2010 and will come into force five days after its posting. Thus deliberated at the meeting of 24/04/2023.