

MaCCNO STATEMENT: Outdoor Music Venues Deserve City Support, Not Bureaucratic Roadblocks

Over the past ten days, virtually the entirety of the fall festival season has been cancelled, including Jazz Fest and French Quarter Fest—a huge blow for New Orleans’ music and cultural community, who have also recently seen the premature cancellation of enhanced unemployment benefits and watched as venues once again began to close and much needed gigs evaporate. These are just the latest challenges in what have been eighteen long and difficult months. During this time, one of the few bright spots has been the emergence of outdoor musical performances and venues, which have provided deeply needed moments of joy; a source of income for musicians, performers, and support staff; a safe space to socialize; and, often, a grounding sense of normalcy. With the Delta variant causing skyrocketing infection rates and creating a significantly higher risk for indoor activities, these performance spaces are now more needed than ever. Despite this, entrenched opposition to outdoor music venues within certain areas of city government has silenced some of the safest places to watch and perform live music in New Orleans and left others struggling to survive. This is bad cultural policy, bad economic policy, and counter to best practices for public health. It is also completely reversible, and well past time for city officials to treat the situation with the seriousness it deserves.

This is an issue that [dates back before the pandemic](#), when it was revealed that the Office of Safety and Permits had interpreted a section of the city’s Zoning Ordinance that states “*Windows and doors shall be closed during live entertainment performance*” to mean that virtually no business could host outdoor live music or entertainment without purchasing special event permits from the city—which can be cost prohibitive and only allow a total of 24 days of outdoor music per year. Based on this interpretation by the Department of Safety and Permits, they have been denying requests from businesses to host recurring outdoor live entertainment since at least 2018. Their opposition to outdoor music has been so effective, [the Lens reports](#) that internal emails show that in April of this year they were only aware of one business in New Orleans that can legally have outdoor live entertainment on a regular basis—Bacchanal.

For the past nine or so months, other businesses, including popular new venues like the Broadside and Zony Mash, have been able to provide outdoor live music through [temporary permits the city rightly created](#) to address the health risks of the pandemic. With the rise of the Delta variant, it is unclear how long these permits will last, but (again according to [reporting from the Lens](#)) in late May city officials were considering sunseting the temporary permits even though “The city’s Chief Zoning Official Ashley Becnel confirmed that without council action, outdoor venues like The Broadside will have to stop operating once Mayor LaToya Cantrell’s coronavirus emergency declaration comes to a close.” In other words, high level officials knew rescinding the temporary permits would stop virtually all outdoor live entertainment and likely cause businesses to fail—but were willing to move forward anyway. Rather than offer solutions, for months the response from these officials has largely been finger

pointing. The Office of Safety and Permits says it is the City Council’s responsibility. City Councilmembers have pointed to the Mayor’s Office. Meanwhile, businesses remain in jeopardy, musicians have lost gigs and money, and there are fewer safe outdoor performance spaces.

Luckily, there is a path forward for outdoor music, and several Councilmembers have recently expressed a willingness to work on the issue—but it will take public pressure to build momentum. In January, the City Planning Commission unanimously recommended the [Outdoor Live Entertainment Study](#) for approval, which contains both short- and long-term actions that can be taken to legalize outdoor live music while also respecting the varied needs of neighborhoods. A modified version of the study’s Phase 1 recommendations—which suggest a temporary permit for outdoor music similar to what is allowed under the coronavirus emergency declaration—should be put in place immediately. These permits must include a firm starting and ending date, an easy and fast renewal process available until permanent rules are adopted, and clear enforcement protocols; as well as avoid arbitrary restrictions on amplification, musical genre, or number of performers. With this permitting system in effect, outdoor live entertainment will be able to continue until new permanent regulations are developed and put into place using a process that includes full input from musicians, venue owners, traditional culture bearers, and neighbors—using the existing study as a guide.

Throughout the pandemic, the cultural community has been bearing the brunt of the physical and economic impacts, but—through the implementation of the initial vaccine mandates, mutual aid programs, and more—they have also been leading the response. It is likely that we will be dealing with COVID in some form for the foreseeable future, and these outdoor performance spaces, too, are part of the long-term solution. They deserve the city’s support, not uncertainty and bureaucratic dead-ends. If you want outdoor music and music venues to be able to continue, please contact city officials on the following list and let them know. We’ve included some sample language, or you can also create your own message—be firm, but please be respectful. Together we can get this done.

SAMPLE LANGUAGE:

“I am a strong supporter of outdoor music and outdoor music venues. Outdoor music venues are the safest spaces to perform and watch live music during the pandemic and provide a crucial income stream for musicians, service industry workers, and support staff. Please reinstate all temporary outdoor live music permits and allow them to continue until permanent regulations for outdoor live music are developed and adopted in conjunction with musicians, venue owners, traditional culture bearers, and other neighborhood residents.”

CONTACT LIST ON NEXT PAGE

CONTACT LIST

Tammie Jackson

Director, Safety & Permits
ttjackson@nola.gov
504-658-7200

Peter Bowen

Director, Business & External Services
Peter.Bowen@nola.gov

Joe Giarrusso

City Council District A
Joseph.Giarrusso@nola.gov
(504) 658-1010

Jay Banks

City Council District B
Jay.H.Banks@nola.gov
(504) 658-1020

Kristen Gisleson Palmer

City Council District C
Kristin.Palmer@nola.gov
(504) 658-1030

Jared Brossett

City Council District D
jcbrossett@nola.gov
(504) 658-1040

Cyndi Nguyen

City Council District E
Cyndi.Nguyen@nola.gov
(504) 658-1050

Donna Glapion

City Council At Large
donna.glapion@nola.gov
(504) 658-1070

Helena Moreno

City Council At Large
Helena.moreno@nola.gov
(504) 658-1060

Latoya Cantrell

Mayor
mayor@nola.gov
(504) 658-4900