

# COUNCIL BILL 08-163

## UNOFFICIAL REPRINT TO SHOW CONTEXT OF VARIOUS PROPOSED AMENDMENTS

### A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Live Entertainment – Licensing and Regulation –**  
3 **Hospitality Services – Promotion and Coordination**

4 **FOR the purpose of<sup>1</sup>** deleting live entertainment and dancing as a zoning use category; requiring  
5 the licensing of certain establishments that provide live entertainment or dancing;  
6 establishing the Board of Licenses for Live Entertainment and providing for its powers and  
7 duties; establishing an Office of Hospitality Services and providing for its powers and duties;  
8 defining certain terms; imposing certain penalties; and generally relating to the licensing and  
9 regulation of live entertainment and to the promotion and coordination of hospitality services.

10 BY repealing and reordaining, without amendments

11 Article - Zoning  
12 Section(s) 6-406(1), 6-506(1), 6-606(1)  
13 Baltimore City Revised Code  
14 (Edition 2000)

15 BY repealing

16 Article - Zoning  
17 Section(s) 1-153.1, 1-182.2, 1-194.2, 6-406(57) and (65), 6-506(27),  
18 7-307(9) and (12), 14-309  
19 Baltimore City Revised Code  
20 (Edition 2000)

21 BY repealing and reordaining, with amendments

22 Article - Zoning  
23 Section(s) 3A-106(8), 6-208(15), 6-306(71) and (82), 6-506(23),  
24 7-306(56) and (68), 8-407(b)(4)  
25 Baltimore City Revised Code  
26 (Edition 2000)

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

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<sup>1</sup> **DLR Note:** This Purpose Clause, as well as the ensuing Function Paragraphs, may well require amendments to reflect changes to the rest of the Bill. These will be drafted after textual and scope changes have been approved, even if only tentatively.

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1 BY adding  
2 Article 15 - Licensing and Regulation  
3 Section(s) 10-1 to 10-36, to be under the subtitle designation,  
4 “Subtitle 10. Live Entertainment”  
5 Baltimore City Code  
6 (Edition 2000)

7 BY adding  
8 Article 1 - Mayor, City Council, and Municipal Agencies  
9 Section(s) 29-1 to 29-4, to be under the subtitle designation,  
10 “Subtitle 29. Office of Hospitality Services”  
11 Baltimore City Code  
12 (Edition 2000)

13 BY adding  
14 Article 8 - Ethics  
15 Section(s) 7-8(17a) and (27a)  
16 Baltimore City Code  
17 (Edition 2000)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
19 Laws of Baltimore City read as follows:

**Baltimore City Revised Code**

**Article – Zoning<sup>2</sup>**

**Title 1. Definitions; General Provisions**

**[§ 1-153.1. Live entertainment.]**

[(a) *In general.*

“Live entertainment” means any one or more of any of the following, performed live by one or more persons, whether or not done for compensation and whether or not admission is charged:

- a. musical act (including karaoke);
- b. theatrical act (including stand-up comedy);
- c. play;

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<sup>2</sup> **Planning Dep’t / Baltimore Housing:** Both recommend *retaining* live entertainment as a zoning category. **DLR Note:** How far that recommendation can/should go requires decisions by policymakers. For example, existing Zg § 14-309 (below) and proposed Art. 15, § 10-17(b) (also below) would need conforming and coordination: which bodies will make which determinations?

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- 1 d. revue;
- 2 e. dance;
- 3 f. magic act;
- 4 g. disc jockey; or
- 5 h. similar activity.]

6 [(b) *Exclusions.*

7 “Live entertainment” does not include adult entertainment, as defined in § 1-106 of this  
8 subtitle.]

9 **[§ 1-182.2. Restaurant – including live entertainment or dancing.]**

10 [“Restaurant – including live entertainment or dancing” means a restaurant at which live  
11 entertainment, dancing, or both may be provided as an accessory use.]

12 **[§ 1-194.2. Tavern – including live entertainment or dancing.]**

13 [“Tavern – including live entertainment or dancing” means a tavern at which live  
14 entertainment, dancing, or both may be provided as an accessory use.]

15 **Title 3A. Open Space Districts**

16 **§ 3A-106. Conditional uses – Board approval required.**

17 In an Open Space District, conditional uses that require Board approval are as follows:

- 18 (8) Restaurants – including [live entertainment or dancing, and] accessory outdoor table  
19 service – but only if located in a public park.

20 **Title 6. Business Districts**

21 **§ 6-208 {B-1} Conditional use — Board approval required.**

22 In a B-1 District, conditional uses that require Board approval are as follows:

- 23 (15) Restaurants — including accessory outdoor table service[, but not including live  
24 entertainment or dancing].

25 **§ 6-306. {B-2} Permitted uses.**

26 In a B-2 District, permitted uses are as follows:

- 27 (71) Restaurants — but not including [live entertainment or dancing, and not including]  
28 accessory outdoor table service.

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1 (82) Taverns [— but not including live entertainment or dancing].

### 2 § 6-406. {B-3} Permitted uses.

3 In a B-3 District, permitted uses are as follows:

4 (1) As in a B-2 District, except that business establishments are not limited to primarily  
5 retail or service establishments.

6 [(57) Restaurants — including live entertainment and dancing, but not including  
7 accessory outdoor table service.]

8 [(65) Taverns — including live entertainment and dancing.]

### 9 § 6-506. {B-4} Permitted uses.

10 In a B-4 District, permitted uses are as follows:

11 (1) As in a B-2 District, except that business establishments are not limited to primarily  
12 retail or service establishments.

13 (23) Restaurants — including [live entertainment and dancing, and including] accessory  
14 outdoor table service.

15 [(27) Taverns — including live entertainment and dancing.]

### 16 § 6-606. {B-5} Permitted uses.

17 In a B-5 District, permitted uses are as follows:

18 (1) As in a B-3 or B-4 District.

## 19 Title 7. Industrial Districts

### 20 § 7-306. {M-2} Permitted uses.

21 In an M-2 District, permitted uses are as follows:

22 (56) Restaurants — including accessory outdoor table service[, but not including live  
23 entertainment or dancing].

24 (68) Taverns[ — but not including live entertainment or dancing].

### 25 § 7-307. {M-2} Conditional uses — Board approval required.

26 In an M-2 District, conditional uses that require Board approval are as follows:

27 [(9) Restaurants — including live entertainment and dancing— but only if located at least  
28 500 feet from a residence district.]

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1 [(12) Taverns — including live entertainment and dancing — but only if located at least  
2 500 feet from a residence district.]

3 **Title 8. Overlay Districts**

4 **§ 8-407. {Maritime Industrial} Use regulations.**

5 (b) *Prohibited uses.*

6 Notwithstanding any other provision of this article, the following uses are prohibited  
7 within the Overlay District:

8 (4) Restaurants, other than accessory [without live entertainment or dancing].

9 **Title 14. Conditional Uses**

10 **[§ 14-309. Live entertainment or dancing.]**

11 [For a restaurant or tavern operating with live entertainment or dancing as an accessory use,  
12 the Board must consider imposing conditions, as appropriate, concerning:

13 (1) days and hours of operation;

14 (2) use of amplification, noise levels, and need for noise proofing;

15 (3) limits on the size of the establishment or on the size, location, or configuration of the  
16 entertainment or dancing venue within the establishment;

17 (4) number of live entertainers;

18 (5) number of seats proposed for outdoor table service;

19 (6) exterior lighting;

20 (7) whether to limit the accessory use to live entertainment only or dancing only; and

21 (8) the establishment and maintenance of:

22 (i) a traffic and parking management plan; and

23 (ii) an indoor and outdoor security plan.]

24 **Baltimore City Code**

25 **Article 15. Licensing and Regulation**

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SUBTITLE 10. LIVE ENTERTAINMENT<sup>3</sup>

PART I. DEFINITIONS; GENERAL PROVISIONS

§ 10-1. DEFINITIONS.<sup>4</sup>

(A) IN GENERAL.

IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) BOARD.

“BOARD” MEANS THE BOARD OF LICENSES FOR LIVE ENTERTAINMENT.

(C) DANCE CLUB.<sup>5</sup>

“DANCE CLUB” MEANS AN A BUSINESS ESTABLISHMENT<sup>6</sup> THAT:

(1) PROVIDES PATRONS WITH AN OPPORTUNITY TO DANCE TO RECORDED OR LIVE MUSIC; AND

(2) MIGHT OR MIGHT NOT SERVE FOOD OR DRINKS.

<sup>3</sup> **Liquor License Comm’rs:** Advice of Counsel from the Attorney General’s Office: “[T]o the extent that the licensing provisions of [Bill 08-163] would apply to alcoholic beverages licensees, [the ordinance] would be preempted [by State law].”

<sup>4</sup> **Law Dep’t:** “[T]he Zoning Code is permissive; therefore, any use not regulated by the Zoning Code is permitted. ... [W]e advise that the City should be careful to include in the bill every establishment for which a live entertainment license should be required. ... [Z]oning use categories not covered by this bill include auditoriums, concert halls, convention halls....” **DLR Note:** The Zoning Code is not “permissive”. To the contrary, Zg § 3-106 states: “Any use that is not expressly allowed in a district is prohibited.” Moreover, even if a particular use were expressly allowed by the Zoning Code, that does not preclude the ability to enact and enforce ancillary licensing regulations.

<sup>5</sup> **Law Dep’t:** “[D]ance clubs are not currently defined or regulated by the Zoning Code. Therefore, in order for BMZA to retain the same level of authority over the location of dance clubs ... as it does over restaurants and taverns, ‘dance club’ should be added to the Zoning Code, amended to ‘dance hall’ (which is covered by the Zoning Code) deleted from this bill, or otherwise reworked so that dance clubs have the same level of regulation as restaurants and taverns.” **DLR Note:** In fact, “dance halls” (although not there defined) are regulated in the Zoning Code: they’re allowed only in B-2 through B-5 and, then, only as a Conditional Use-Ordinance (B-2 and B-3) or Conditional Use-Board (B-4 and B-5). Restaurants and taverns with live entertainment, in contrast, are Permitted Uses in B-3 through B-5. The difference in usage (“dance hall” vice “dance club”) does not mean that a “‘dance hall’ ... would be allowed to have live entertainment without a license”. If an establishment (by whatever name) “provides patrons with an opportunity to dance to ... music”, it would be covered by the definition here and, therefore, subject to licensure.

<sup>6</sup> Per Law Dep’t.

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1 (D) *INCLUDES; INCLUDING.*

2 "INCLUDES" OR "INCLUDING" MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF  
3 LIMITATION.

4 (E) *LIVE ENTERTAINMENT.*

5 (1) *IN GENERAL.*

6 "LIVE ENTERTAINMENT" MEANS ANY ENTERTAINMENT THAT IS PERFORMED LIVE BY  
7 ONE OR MORE PERSONS, WHETHER OR NOT DONE FOR COMPENSATION, WHETHER OR  
8 NOT ADMISSION IS CHARGED, AND WHETHER THE ENTERTAINMENT IS A PRINCIPAL,  
9 ACCESSORY, OR OTHER USE OF THE PREMISES.

10 (2) *INCLUSIONS.*

11 "LIVE ENTERTAINMENT" INCLUDES, EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS  
12 SUBSECTION, ANY:

- 13 (1) MUSICAL ACT, CONCERT, OR RECITAL;
- 14 (2) THEATRICAL ACT, PLAY, OR REVUE;
- 15 (3) CIRCUS, AERIAL, OR ACROBATIC PERFORMANCE;
- 16 (4) DANCE PERFORMANCE;
- 17 (5) PARTICIPATORY DANCING;
- 18 (6) MAGIC ACT;
- 19 (7) KARAOKE;
- 20 (8) DISC JOCKEY;
- 21 (9) POETRY RECITAL OR BOOK READING;
- 22 (10) PERFORMANCE ART;
- 23 (11) STAND-UP OR OTHER COMEDY; OR
- 24 (12) SIMILAR ACTIVITY.

25 (3) *EXCLUSIONS.*

26 "LIVE ENTERTAINMENT" DOES NOT INCLUDE:

- 27 (1) ADULT ENTERTAINMENT, AS DEFINED IN § 1-1 OF THIS ARTICLE; OR

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(2) A ONE-DAY, NONRECURRING EVENT EXEMPTED FROM THIS SUBTITLE BY A RULE OR REGULATION OF THE BOARD;<sup>7</sup> OR.<sup>7</sup>

(F) *PERSON*.

(1) *IN GENERAL*.

“PERSON” MEANS:

(I) AN INDIVIDUAL;

(II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND; OR

(III) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE OF ANY KIND.

(2) *EXCLUSIONS*.

“PERSON” DOES NOT INCLUDE, UNLESS OTHERWISE EXPRESSLY PROVIDED, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

(G) *RESTAURANT*.<sup>8</sup>

“RESTAURANT” MEANS A BUSINESS ESTABLISHMENT THAT:

(I) PROVIDES FOOD TO THE PUBLIC, PRIMARILY FOR ON-PREMISES CONSUMPTION; AND

(II) MIGHT OR MIGHT NOT ALSO SERVE *ALCOHOLIC BEVERAGES*.<sup>9</sup>

(H) *TAVERN*.<sup>10</sup>

“TAVERN” MEANS A BUSINESS ESTABLISHMENT THAT:

(1) PROVIDES ALCOHOLIC BEVERAGES TO THE PUBLIC FOR ON-PREMISES CONSUMPTION; AND

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<sup>7</sup> **DLR:** Typo needing correction.

<sup>8</sup> **Law Dep’t:** “[T]he definitions of restaurant and tavern in this bill should be made consistent with the definitions in the Zoning Code.” **DLR Note:** The Zoning Code treats taverns and restaurants differently in certain respects – hence the definitions there set forth standards for differentiating between the two (e.g., Zg § 182-1(a)(2)(i) [restaurant that also serves alcoholic beverages must have “full menu of food”, etc.; and Zg § 194-1(1) [tavern is an establishment “devoted *primarily* to serving alcoholic beverage”]). Those distinctions, however, are inapposite to this proposed licensing scheme.

<sup>9</sup> See n. 3 above as to possible preemption by State law.

<sup>10</sup> See n. 3 above as to possible preemption by State law.

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(2) MIGHT OR MIGHT NOT ALSO SERVE FOOD.

**§ 10-2. MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.**

(A) *MANDATORY TERMS.*

“MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT OR TO IMPOSE A DUTY.

(B) *PROHIBITORY TERMS.*

“MUST NOT” AND “MAY NOT” ARE EACH MANDATORY NEGATIVE TERMS USED TO ESTABLISH A PROHIBITION.

(C) *PERMISSIVE TERMS.*

“MAY” IS PERMISSIVE.

**§§ 10-3 TO 10-5. {RESERVED}**

***PART II. BOARD OF LICENSES FOR LIVE ENTERTAINMENT***

**§ 10-6. BOARD ESTABLISHED.<sup>11</sup>**

THERE IS A BOARD OF LICENSES FOR LIVE ENTERTAINMENT.

**§ 10-7. COMPOSITION.**

(A) *IN GENERAL.*

THE BOARD COMPRISES THE FOLLOWING 5 MEMBERS:

- (1) 2 MEMBERS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6 OF THE CITY CHARTER;
- (2) THE PRESIDENT OF THE CITY COUNCIL OR THE PRESIDENT’S DESIGNEE;
- (3) 1 COUNCILMEMBER APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL; AND
- (4) THE DIRECTOR OF HOSPITALITY SERVICES.

(B) *QUALIFICATIONS.*

OF THE MEMBERS APPOINTED BY THE MAYOR:

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<sup>11</sup> **Planning:** “Determine an approximate cost for establishing the office/organization to handle this program, and evaluate where the function could be housed within City government in a cost-effective and administratively ... responsible manner.”

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1 (1) 1 MUST HAVE SUBSTANTIAL EXPERIENCE WITH THE LIVE-ENTERTAINMENT  
2 INDUSTRY; AND

3 (2) THE OTHER MAY NOT HAVE ANY FINANCIAL INTEREST IN ANY ENTITY THAT OFFERS  
4 OR PROMOTES LIVE ENTERTAINMENT.

5 **§ 10-8. TENURE.**

6 THE TERM OF EACH MEMBER IS 4 YEARS, CONCURRENT WITH THE MAYOR'S TERM OF OFFICE,  
7 AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

8 **§ 10-9. QUORUM; VOTING.**

9 (A) *QUORUM.*

10 3 MEMBERS OF THE BOARD ARE A QUORUM.

11 (B) *VOTING.*

12 AN AFFIRMATIVE VOTE OF AT LEAST 3 MEMBERS IS NEEDED FOR ANY ACTION BY THE  
13 BOARD.

14 **§ 10-10. OFFICERS; EXPENSES.**

15 (A) *OFFICERS.*

16 (1) THE DIRECTOR OF HOSPITALITY SERVICES SERVES AS THE BOARD'S CHAIR.

17 (2) THE BOARD MAY ELECT, FROM AMONG ITS MEMBERS, ANY OTHER OFFICERS NEEDED  
18 FROM TIME TO TIME.

19 (B) *COMPENSATION.*

20 THE MEMBERS OF THE BOARD:

21 (1) RECEIVE NO COMPENSATION FOR SERVICES RENDERED AS MEMBERS OF THE  
22 BOARD; BUT

23 (2) ARE ENTITLED TO REIMBURSEMENT FOR NECESSARY AND PROPER EXPENSES  
24 INCURRED IN PERFORMING THEIR DUTIES AS A MEMBER.

25 **§ 10-11. STAFF.**

26 THE BOARD MAY APPOINT EMPLOYEES, ASSISTANTS, AND INVESTIGATORS AS PROVIDED IN  
27 THE ORDINANCES OF ESTIMATES.

28 **§ 10-12. RULES, REGULATIONS, AND FORMS.**

29 (A) *BOARD TO ADOPT.*

30 THE BOARD MUST ADOPT RULES, REGULATIONS, AND FORMS TO CARRY OUT THIS SUBTITLE.

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1 (B) *ADVERTISING FOR HEARING AND COMMENT.*

2 (1) THE BOARD MUST ADVERTISE FOR PUBLIC HEARING AND COMMENT ALL RULES AND  
3 REGULATIONS PROPOSED FOR ADOPTION OR AMENDMENT UNDER THIS SUBTITLE.

4 (2) THE ADVERTISEMENT:

5 (I) MUST BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION AT LEAST 15  
6 DAYS BEFORE THE HEARING; AND

7 (II) MUST INCLUDE:

8 (A) A DESCRIPTION OF THE PROPOSED RULES AND REGULATIONS;

9 (B) THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING; AND

10 (C) INFORMATION ON HOW A PERSON CAN OBTAIN A COPY OF THE PROPOSED  
11 RULES AND REGULATIONS BEFORE THE HEARING.

12 (C) *ADOPTION.*

13 AFTER THE PUBLIC HEARING, THE BOARD MAY ADOPT THE FINAL RULES, REGULATIONS, OR  
14 AMENDMENTS WITH AN EFFECTIVE DATE OF AT LEAST 15 DAYS AFTER THE DATE OF THEIR  
15 ADOPTION.

16 (D) *FILING.*

17 A COPY OF THE RULES, REGULATIONS, AND FORMS AND OF ANY AMENDMENTS TO THEM  
18 MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE  
19 EFFECT.

20 **§§ 10-13 TO 10-15. {RESERVED}**

21 ***PART III. LICENSING***

22 **§ 10-16. LICENSE REQUIRED.<sup>12</sup>**

23 NO RESTAURANT, TAVERN, OR DANCE CLUB MAY PROVIDE LIVE ENTERTAINMENT OR DANCING  
24 WITHOUT HAVING FIRST OBTAINED A LICENSE TO DO SO FROM THE BOARD OF LICENSES FOR  
25 LIVE ENTERTAINMENT.

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<sup>12</sup> **Baltimore Housing:** Recommends a “grandfathering provision ... to protect businesses that already have live entertainment”. **Planning:** “Create a provision to address legally established existing businesses.”

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**§ 10-17. CLASSES AND SCOPE.**<sup>13</sup>

(A) *IN GENERAL.*

IN ITS RULES AND REGULATIONS, THE BOARD MUST:

- (1) DELINEATE THE VARIOUS CLASSES OF LICENSES TO BE ISSUED; AND
- (2) FOR EACH CLASS OF LICENSE, SPECIFY:
  - (i) THE TYPES OF ENTERTAINMENT THAT MAY BE PERFORMED UNDER THE LICENSE;
  - (ii) THE DAYS AND HOURS OF OPERATION;
  - (iii) THE TERM OF THE LICENSE; AND
  - (iii) ALL OTHER LIMITATIONS APPLICABLE TO THAT CLASS.

(B) *REQUIRED CONSIDERATIONS.*

IN DESIGNATING CLASSES AND SPECIFYING LIMITATIONS, THE BOARD SHALL CONSIDER:

- (1) USE OF AMPLIFICATION, NOISE LEVELS, AND NEED FOR NOISE PROOFING;
- (2) LIMITS ON THE SIZE OF THE ESTABLISHMENT OR ON THE SIZE, LOCATION, OR CONFIGURATION OF THE ENTERTAINMENT OR DANCING VENUE WITHIN THE ESTABLISHMENT;
- (3) NUMBER OF LIVE ENTERTAINERS;
- (4) EXTERIOR LIGHTING;
- (5) WHETHER TO LIMIT THE LIVE ENTERTAINMENT TO DANCING ONLY;
- (6) THE PROXIMITY OF RESIDENCES, SCHOOLS, RELIGIOUS INSTITUTIONS, OR PARKS TO THE PROPOSED ENTERTAINMENT VENUE;
- (7) THE MAXIMUM AUTHORIZED OCCUPANT LOAD OF THE VENUE;
- (8) THE VOLUME AND TYPES OF VEHICULAR AND PEDESTRIAN TRAFFIC IN THE AREA OF THE PROPOSED ENTERTAINMENT VENUE; AND
- (9) THE ESTABLISHMENT AND MAINTENANCE OF:

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<sup>13</sup> **Planning:** “Create [in the legislation] the classes of live entertainment ..., so that costs, operational concerns, and land use impacts of this bill can be determined.”

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1 (I) A TRAFFIC MANAGEMENT PLAN APPROVED BY THE DEPARTMENT OF  
2 TRANSPORTATION;<sup>14</sup>

3 (II) A PARKING MANAGEMENT PLAN APPROVED BY THE PARKING AUTHORITY OF  
4 BALTIMORE CITY;<sup>15</sup>

5 (III) AN INDOOR AND OUTDOOR SECURITY PLAN; AND

6 (IV) A SANITATION PLAN.

7 **§ 10-18. APPLICATIONS – IN GENERAL.**

8 (A) *IN GENERAL.*

9 THE OWNER OF THE PROPOSED ENTERTAINMENT VENUE MUST APPLY TO THE BOARD FOR  
10 THE CLASS OF LICENSE SOUGHT.

11 (B) *FORM.*

12 THE APPLICATION MUST BE IN THE FORM AND CONTAIN THE INFORMATION THAT THE  
13 BOARD REQUIRES.

14 (C) *APPLICATION FEE.*

15 (1) THE APPLICATION MUST BE ACCOMPANIED BY A ONE-TIME, NON-REFUNDABLE  
16 APPLICATION FEE.

17 (2) THE AMOUNT OF THE FEE SHALL AS SET BY THE BOARD, WITH THE APPROVAL OF THE  
18 BOARD OF ESTIMATES, TO COVER BOARD EXPENSES.

19 **§ 10-19. APPLICATIONS – RESPONSIBLE PARTIES.**

20 (A) *BY WHOM MADE.*

21 (1) THE APPLICATION MUST BE MADE AS FOLLOWS:

22 (I) IF A CORPORATION, BY ITS CHIEF EXECUTIVE OFFICER;

23 (II) IF A PARTNERSHIP, BY ITS MANAGING PARTNER; OR

24 (III) IF A PROPRIETORSHIP, BY ITS OWNER.

25 (2) ALL INFORMATION REQUIRED IN THE APPLICATION ABOUT AN APPLICANT MUST BE  
26 GIVEN WITH RESPECT TO THE INDIVIDUALS MAKING THE APPLICATION, AND THE  
27 DETERMINATION OF THE BOARD MUST BE BASED ON THE ELIGIBILITY OF THOSE  
28 INDIVIDUALS.

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<sup>14</sup> Per Transportation Dep't.

<sup>15</sup> Per Parking Authority.

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1 (3) IF APPROVED, THE LICENSE MUST BE ISSUED IN THE NAME OF THE INDIVIDUAL  
2 APPLICANT FOR THE BENEFIT OF THE OWNER.

3 **§ 10-20. INVESTIGATION OF APPLICANTS.**

4 ON RECEIPT OF THE APPLICATION, THE BOARD MUST INVESTIGATE THE CHARACTER AND  
5 QUALIFICATIONS OF THE APPLICANT.

6 **§ 10-21. QUALIFICATIONS.**

7 (A) *MORAL CHARACTER; AGE.*

8 (1) A LIVE-ENTERTAINMENT LICENSE MAY NOT BE ISSUED FOR ANY PERSON UNLESS THE  
9 APPLICANT:

10 (I) BASED ON THE CONSIDERATIONS SPECIFIED IN SUBSECTION (B) OF THIS SECTION,  
11 IS OF GOOD MORAL CHARACTER; AND

12 (II) IS AT LEAST 21 YEARS OLD.

13 (2) IN DETERMINING MORAL CHARACTER, THE BOARD MUST CONSIDER:

14 (I) ALL CRIMINAL CONVICTIONS OF THE APPLICANT; AND

15 (II) THE BUSINESS HISTORY OF THE APPLICANT.

16 (B) *ZONING AUTHORIZATION.*

17 A LIVE-ENTERTAINMENT LICENSE MAY NOT BECOME EFFECTIVE UNLESS ALL ZONING  
18 AUTHORIZATIONS REQUIRED FOR THE USE HAVE BEEN OBTAINED AND ANY RIGHT OF  
19 APPEAL HAS BEEN EXHAUSTED.

20 **§ 10-22. POSTING; OBJECTIONS.**

21 (A) *POSTING REQUIRED.*

22 (1) ON FILING AN APPLICATION FOR AN INITIAL LICENSE, THE APPLICANT MUST POST THE  
23 PROPOSED VENUE FOR 30 DAYS, IN ACCORDANCE WITH THE BOARD'S RULES AND  
24 REGULATIONS.

25 (2) NOTICE OF THE APPLICATION MUST ALSO BE POSTED ON THE BOARD'S WEBSITE FOR AT  
26 LEAST 30 DAYS DURING THE PENDENCY OF THE APPLICATION.

27 (B) *9 OR FEWER OBJECTIONS.*

28 IF, WITHIN THE 30-DAY POSTING PERIODS, THE BOARD RECEIVES NO MORE THAN 9 WRITTEN  
29 OBJECTIONS FROM PROPERTY OWNERS OR RESIDENTS WITHIN A 10-BLOCK RADIUS OF THE  
30 PROPOSED VENUE, THE LICENSE MAY BE ISSUED.

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1 (C) *10 OR MORE OBJECTIONS.*

2 (1) IF, WITHIN THE 30-DAY POSTING PERIODS, THE BOARD RECEIVES 10 OR MORE WRITTEN  
3 OBJECTIONS FROM PROPERTY OWNERS OR RESIDENTS WITHIN A 10-BLOCK RADIUS OF  
4 THE PROPOSED VENUE, THE BOARD MUST:

5 (I) **WITHIN XX DAYS OF RECEIVING A 10<sup>TH</sup> OBJECTION,**<sup>16</sup> REFER THE APPLICANT AND  
6 OBJECTORS TO THE DIRECTOR OF HOSPITALITY SERVICES FOR MEDIATION OF  
7 THEIR DIFFERENCES; AND

8 (II) IF THE MEDIATION IS UNSUCCESSFUL AS TO ONE OR MORE MATTERS, HOLD A  
9 HEARING ON THE UNRESOLVED MATTERS.

10 (2) UNLESS THE APPLICANT AGREES TO A LATER DATE, THE MEDIATION MUST BE  
11 CONCLUDED **WITHIN 21 DAYS AFTER THE LAST DAY OF THE 30-DAY POSTING PERIODS.**<sup>17</sup>  
12 AT THE CONCLUSION OF THAT PERIOD, THE DIRECTOR OF HOSPITALITY SERVICES MUST  
13 CERTIFY TO THE BOARD THE RESULTS OF THE MEDIATION AND WHETHER A HEARING IS  
14 REQUIRED ON ONE OR MORE UNRESOLVED MATTERS.

15 (3) UNLESS THE APPLICANT AGREES TO A LATER DATE, IF A HEARING IS REQUIRED, IT MUST  
16 BE HELD WITHIN 15 DAYS AFTER THE CERTIFICATION OF MEDIATION RESULTS FROM THE  
17 DIRECTOR OF HOSPITALITY SERVICES.

18 (4) AT THE HEARING, PARTIES IN INTEREST AND CITIZENS MUST BE GIVEN AN OPPORTUNITY  
19 TO BE HEARD.

20 **§ 10-23. DECISION ON APPLICATION.**

21 (A) *BOARD TO DECIDE.*

22 THE BOARD MUST NOTIFY THE APPLICANT IN WRITING OF ITS DECISION TO GRANT OR DENY  
23 THE LICENSE AS FOLLOWS:

24 (1) IF NO **MEDIATION OR HEARING IS REQUIRED TO BE HELD UNDER § 10-22(C)**<sup>18</sup> OF THIS  
25 SUBTITLE OR UNDER SUBSECTION (C) OF THIS SECTION, WITHIN 15 DAYS AFTER THE  
26 LAST DAY OF THE 30-DAY POSTING PERIODS; AND

27 (2) IF A HEARING IS REQUIRED, WITHIN 15 DAYS AFTER CONCLUSION OF THE HEARING.

28 (B) *CONSIDERATIONS.*

29 IN REVIEWING AN APPLICATION, THE BOARD MUST CONSIDER THE FACTORS ENUMERATED  
30 IN § 10-17(B) {"CLASSES AND SCOPE: REQUIRED CONSIDERATIONS"}.

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<sup>16</sup> Per Law Dep't. Alternative suggestion is to instead amend subsection (c)(2) to key the conclude-by date to 21 days from the date of *referral*.

<sup>17</sup> See preceding note for possible change.

<sup>18</sup> Per Law Dep't (with DLR modifications).

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1 (C) *CONDITIONS.*

2 ON NOTICE TO THE APPLICANT AND AN OPPORTUNITY TO BE HEARD,<sup>19</sup> THE BOARD MAY  
3 IMPOSE REASONABLE CONDITIONS ON A LICENSE TO PROTECT THE PUBLIC HEALTH, SAFETY,  
4 AND WELFARE.

### 5 § 10-24. TERM AND RENEWAL OF LICENSES.

6 (A) *TERM.*

7 EXCEPT FOR SINGLE-EVENT, SHORT-TERM, OR SIMILAR LICENSES WITH A SPECIFIED  
8 EXPIRATION,<sup>20</sup> EACH LIVE-ENTERTAINMENT LICENSE EXPIRES ANNUALLY ON THE  
9 ANNIVERSARY OF ITS ISSUANCE AND IS RENEWABLE AS PROVIDED IN THIS SECTION.

10 (B) *APPLICATION FOR RENEWAL.*

11 (1) TO RENEW A LIVE-ENTERTAINMENT LICENSE, THE LICENSEE MUST APPLY NO LESS THAN  
12 30 DAYS NOR MORE THAN 60 DAYS BEFORE THE LICENSE EXPIRES.

13 (2) THE RENEWAL APPLICATION MUST BE IN THE FORM AND CONTAIN THE INFORMATION  
14 THAT THE BOARD REQUIRES.

15 (C) *POSTING.*

16 NOTICE OF THE RENEWAL APPLICATION MUST BE POSTED ON THE BOARD'S WEBSITE FOR AT  
17 LEAST 25 DAYS DURING THE PENDENCY OF THE APPLICATION.

18 (D) *APPROVAL.*

19 ON FILING THE RENEWAL APPLICATION AND PAYMENT OF THE RENEWAL FEE, THE BOARD  
20 MAY APPROVE THE APPLICATION, EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS  
21 SECTION.

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<sup>19</sup> **Law Dep't:** "[T]he 'notice' and 'opportunity to be heard' provisions could be made more specific."  
**DLR Note:** 'Twould be unusual for a City ordinance to spell out this sort of procedure. Absent a Citywide APA-like law (which *is* sorely needed), the many notice-and-hearing laws of the City simply leave the details to the rules and regulations of the specific agency. (The only exception of which I'm aware is in Health Article, Title 2, Subtitle 3.)

<sup>20</sup> **Law Dep't:** "Section 10-24 should be made consistent with section 10-1(e)(3)(ii); it is unclear whether this bill applies to one-day or single-event live entertainment." **DLR Note:** We don't see the inconsistency. The definition in § 10-1 authorizes the Board, by rule or reg, to exempt from licensure a "one-day" event. This § 10-24 deals with the general, 1-year term of licenses; the opening clause merely recognizes that certain types of license are for less than a year, and thus subject to a specified, "built-in" expiration date.

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1 (E) *10 OR MORE OBJECTIONS.*

2 (1) IF, BEFORE THE END OF THE RENEWAL PERIOD, 10 OR MORE WRITTEN OBJECTIONS FROM  
3 PROPERTY OWNERS OR RESIDENTS WITHIN A 10-BLOCK RADIUS OF THE LICENSED  
4 PREMISES ARE FILED WITH THE BOARD, THE BOARD MUST:

5 (I) REFER THE LICENSEE AND OBJECTORS TO THE DIRECTOR OF HOSPITALITY  
6 SERVICES FOR MEDIATION OF THEIR DIFFERENCES; AND

7 (II) IF THE MEDIATION IS UNSUCCESSFUL AS TO ONE OR MORE MATTERS, HOLD A  
8 HEARING ON THE UNRESOLVED MATTERS.

9 (2) THE MEDIATION MUST BE CONDUCTED AS PROVIDED IN § 10-22(C)(2) OF THIS SUBTITLE  
10 FOR AN INITIAL APPLICATION, EXCEPT THAT THE DEADLINE FOR ITS CONCLUSION RUNS  
11 FROM THE LAST DAY OF THE 25-DAY WEBSITE POSTING PERIOD.

12 (3) THE HEARING MUST BE CONDUCTED AS PROVIDED IN § 10-22(C)(3) OF THIS SUBTITLE  
13 FOR AN INITIAL APPLICATION.

14 (4) PARTIES IN INTEREST AND CITIZENS MUST BE GIVEN AN OPPORTUNITY TO BE HEARD.

15 **§ 10-25. LICENSE FEES.**

16 THE ANNUAL, SINGLE-EVENT, SHORT-TERM, OR SIMILAR LICENSE FEE FOR THE VARIOUS  
17 CLASSES OF LICENSES ARE AS SET BY THE BOARD, WITH THE APPROVAL OF THE BOARD OF  
18 ESTIMATES.

19 **§ 10-26. WAITING PERIOD AFTER DENIAL.**

20 IF THE BOARD DENIES A LIVE-ENTERTAINMENT LICENSE OR RENEWAL LICENSE, THE APPLICANT  
21 MAY NOT REAPPLY FOR AT LEAST 9 MONTHS FROM THE DATE OF THE BOARD'S FINAL DECISION  
22 OR, IF THAT DECISION WAS APPEALED, FROM THE DATE OF THE FINAL COURT DECISION.

23 **§ 10-27. TRANSFER OF LICENSE.**

24 A LIVE-ENTERTAINMENT LICENSE IS NOT TRANSFERABLE TO A NEW OWNER, TO A NEW  
25 APPLICANT, TO A DIFFERENT VENUE, OR OTHERWISE.

26 **§ 10-28. "WHITE BOOK".**

27 (A) "*WHITE BOOK*" *DEFINED.*

28 "WHITE BOOK" MEANS A COMPILATION, IN THE FORM REQUIRED BY RULE OR REGULATION  
29 OF THE DIRECTOR OF HOSPITALITY SERVICES, OF THE FOLLOWING INFORMATION ABOUT A  
30 LICENSEE:

31 (1) THE NAME OF AND CONTACT INFORMATION FOR THE LICENSEE;

32 (2) THE PARKING, TRAFFIC, SECURITY, AND SANITATION PLANS FOR THE LICENSED  
33 VENUE;

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(3) A COPY OF ALL LICENSES ISSUED TO OR FOR THE BENEFIT OF THE LICENSEE BY THE FEDERAL, STATE, OR CITY GOVERNMENTS; AND

(4) ANY OTHER INFORMATION THE DIRECTOR OF HOSPITALITY SERVICES REQUIRES BY RULE OR REGULATION.

(B) *LICENSEE TO MAINTAIN FOR INSPECTION.*

(1) EACH LICENSEE MUST MAINTAIN ON PREMISES AN UP-TO-DATE COPY OF ITS WHITE BOOK.

(2) THE LICENSEE MUST MAKE THE WHITE BOOK AVAILABLE FOR INSPECTION, AT ANY TIME DURING REGULAR BUSINESS HOURS, BY THE BOARD OR ANY AUTHORIZED CITY OFFICIAL.

**§§ 10-29 TO 10-30. {RESERVED}**

***PART IV. ADMINISTRATIVE SANCTIONS***

**§ 10-31. DENIAL, SUSPENSION, OR REVOCATION.<sup>21</sup>**

THE BOARD MAY DENY, SUSPEND, OR REVOKE A LIVE-ENTERTAINMENT LICENSE OR RENEWAL LICENSE FOR ANY OF THE FOLLOWING CAUSES:

- (1) FAILING TO PAY THE APPLICABLE LICENSE FEE ON OR BEFORE THE DUE DATE;
- (2) MAKING ANY MATERIAL FALSE STATEMENT IN ANY APPLICATION FOR AN INITIAL OR RENEWAL LICENSE;
- (3) LACK OF ACCESSIBILITY FOR FIRE AND POLICE PROTECTION;
- (4) FAILING TO COMPLY WITH ANY PROVISION OF THE BUILDING, FIRE, AND RELATED CODES OF BALTIMORE CITY, THE HEALTH CODE OF BALTIMORE CITY, OR THE ZONING CODE OF BALTIMORE CITY;
- (5) FAILING TO COMPLY WITH ANY PROVISION OF THIS SUBTITLE OR OF ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE; OR
- (6) FAILING TO COMPLY WITH ANY PROVISION OF ANY OTHER LOCAL, STATE, OR FEDERAL LAW THAT AFFECTS OR RELATES TO LIVE ENTERTAINMENT.

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<sup>21</sup> **Police Dep’t:** “[T]he ... BPD ... requests that the committee consider provisions that would allow for an immediate closure of [a] business if the public safety so warrants.” It is working on amendments to submit to the Committee.

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### § 10-32. FINES.<sup>22</sup>

FOR ANY VIOLATION THAT IS CAUSE FOR SUSPENDING OR REVOKING A LICENSE, THE BOARD MAY, INSTEAD OF OR IN ADDITION TO SUSPENDING OR REVOKING THE LICENSE, IMPOSE A CIVIL FINE AS FOLLOWS:

- (1) FOR A 1<sup>ST</sup> OFFENSE, NOT MORE THAN \$500; AND
- (2) FOR ANY SUBSEQUENT OFFENSE, NOT MORE THAN \$1,000.

### § 10-33. NOTICE AND HEARING.<sup>23</sup>

(A) *IN GENERAL.*

NO LIVE-ENTERTAINMENT LICENSE OR RENEWAL LICENSE MAY BE DENIED, SUSPENDED, OR REVOKED AND NO FINE MAY BE IMPOSED UNLESS THE BOARD GIVES THE APPLICANT OR LICENSEE:

- (1) AT LEAST 10 DAYS' WRITTEN NOTICE OF THE INTENT TO IMPOSE SANCTIONS; AND
- (2) AN OPPORTUNITY TO BE HEARD AS TO WHY SANCTIONS SHOULD NOT BE IMPOSED.

(B) *DENIAL OF INITIAL LICENSE.*

FOR THE PROPOSED DENIAL OF AN INITIAL LICENSE, A HEARING MUST BE HELD WITHIN 30 DAYS OF A TIMELY REQUEST, UNLESS THE APPLICANT AGREES TO A LATER DATE.

### § 10-34. JUDICIAL AND APPELLATE REVIEW.

(A) *JUDICIAL REVIEW.*

A PERSON AGGRIEVED BY A DECISION OF THE BOARD MAY SEEK JUDICIAL REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN ACCORDANCE WITH THE MARYLAND RULES OF PROCEDURE.

(B) *STAYS.*

- (1) THE FILING OF A PETITION FOR JUDICIAL REVIEW DOES NOT STAY THE DECISION OF THE BOARD.
- (2) HOWEVER, ON MOTION AND AFTER HEARING, THE COURT MAY GRANT A STAY AS PROVIDED IN THE MARYLAND RULES OF PROCEDURE.

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<sup>22</sup> **Law Dep't:** "We recommend working on clarifying section 10-32 ... and 10-33. We believe any clarification can be worked out during forthcoming work sessions and discussions."

<sup>23</sup> See preceding note.

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1 (C) *APPELLATE REVIEW.*

2 A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S FINAL JUDGMENT TO THE  
3 COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF  
4 PROCEDURE.

5 **§ 10-35. {RESERVED}**

6 ***PART V. PENALTIES***

7 **§ 10-36. PENALTIES.**

8 (A) *IN GENERAL.*

9 ANY PERSON WHO VIOLATES OR WHO NEGLECTS OR REFUSES TO COMPLY WITH ANY  
10 PROVISION OF THIS SUBTITLE OR OF ANY RULE OR REGULATION ADOPTED UNDER THIS  
11 SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF  
12 NOT MORE THAN \$500.

13 (B) *EACH DAY A SEPARATE OFFENSE.*

14 EACH DAY THAT A VIOLATION CONTINUES AFTER NOTIFICATION CONSTITUTES A SEPARATE  
15 OFFENSE.

16 **Article 1. Mayor, City Council, and Municipal Agencies**

17 **SUBTITLE 29. OFFICE OF HOSPITALITY SERVICES**

18 **§ 29-1. OFFICE ESTABLISHED.<sup>24</sup>**

19 THERE IS AN OFFICE OF HOSPITALITY SERVICES IN THE OFFICE OF THE MAYOR.

20 **§ 29-2. DIRECTOR – APPOINTMENT.**

21 THE DIRECTOR OF THE OFFICE IS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE  
22 IV, § 6 OF THE CITY CHARTER.

23 **§ 29-3. DIRECTOR – POWERS AND DUTIES.**

24 (A) *IN GENERAL.*

25 THE DIRECTOR HAS THE FOLLOWING POWERS AND DUTIES.

26 (B) *BOARD CHAIR.*

27 THE DIRECTOR SERVES AS THE CHAIR OF THE BOARD OF LICENSES FOR LIVE  
28 ENTERTAINMENT.

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<sup>24</sup> See note to § 10-6 above.

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1 (C) *COMMUNITY LIAISON.*

2 THE DIRECTOR IS THE PRINCIPAL CONTACT FOR MEMBERS OF THE PUBLIC WITH ISSUES  
3 INVOLVING THE HOSPITALITY INDUSTRY.

4 (D) *AGENCY COORDINATOR.*

5 (1) THE DIRECTOR SHALL COORDINATE THE ACTIVITIES OF THE VARIOUS AGENCIES THAT  
6 REGULATE OR HAVE OVERSIGHT OF LIVE ENTERTAINMENT.

7 (2) THESE AGENCIES INCLUDE, AMONG OTHERS:

8 (I) POLICE DEPARTMENT.

9 (II) FIRE DEPARTMENT.

10 (III) HEALTH DEPARTMENT.

11 (IV) PLANNING DEPARTMENT.

12 (V) BOARD OF MUNICIPAL AND ZONING APPEALS.

13 (VI) BALTIMORE DEVELOPMENT CORPORATION.

14 (VII) BOARD OF LIQUOR LICENSE COMMISSIONERS.

15 (VIII) CITY COUNCIL.

16 (IX) PUBLIC WORKS DEPARTMENT.

17 (X) BALTIMORE HOUSING.

18 (XI) BALTIMORE OFFICE OF PROMOTION & THE ARTS.

19 (XII) BALTIMORE AREA CONVENTION AND VISITORS ASSOCIATION.

20 (XIII) DEPARTMENT OF GENERAL SERVICES.<sup>25</sup>

21 (XIV) DEPARTMENT OF TRANSPORTATION.<sup>26</sup>

22 (XV) PARKING AUTHORITY OF BALTIMORE CITY.<sup>27</sup>

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<sup>25</sup> Per Public Works Dep't.

<sup>26</sup> Per Transportation Dep't..

<sup>27</sup> Per Parking Auth'y.

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1 (E) *COMMUNITY-INDUSTRY LIAISON.*

2 THE DIRECTOR SHALL:

3 (1) ORGANIZE ROUNDTABLE MEETINGS FOR THE GENERAL PUBLIC AND THE  
4 HOSPITALITY INDUSTRY;

5 (2) SEEK TO MEDIATE DISPUTES BETWEEN THE GENERAL PUBLIC AND THE HOSPITALITY  
6 INDUSTRY; AND

7 (3) CONDUCT ORIENTATIONS FOR NEW BUSINESSES IN THE HOSPITALITY INDUSTRY.

8 (F) *CLOSING HOURS.*

9 TO THE EXTENT AUTHORIZED BY STATE LAW, THE DIRECTOR MAY REGULATE THE CLOSING  
10 HOURS OF ENTITIES OPERATING UNDER ALCOHOLIC BEVERAGE LICENSES.

11 (G) *“WHITE BOOKS”.*

12 (1) THE DIRECTOR MAY ADOPT RULES AND REGULATIONS TO GOVERN THE FORM AND  
13 CONTENT OF THE “WHITE BOOKS” TO BE KEPT BY LIVE-ENTERTAINMENT LICENSEES  
14 UNDER CITY CODE ARTICLE 15, SUBTITLE 10 {“LIVE ENTERTAINMENT”}.

15 (2) A COPY OF THESE RULES AND REGULATIONS AND OF ANY AMENDMENTS TO THEM MUST  
16 BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE  
17 EFFECT.

18 **§ 29-4. STAFF AND BUDGET.**

19 THE OFFICE MAY EMPLOY STAFF AND EXPEND FUNDS AS AUTHORIZED IN THE ORDINANCE OF  
20 ESTIMATES.

21 **Article 8. Ethics**

22 **§ 7-8. Persons required to file – Agency officials and staff.**

23 (17A) *HOSPITALITY SERVICES, OFFICE OF.*

24 (i) DIRECTOR OF HOSPITALITY SERVICES.

25 (ii) ALL NON-CLERICAL EMPLOYEES OF OFFICE.

26 (27A) *LIVE ENTERTAINMENT, BOARD OF LICENSES FOR.*

27 (i) MEMBERS OF BOARD.

28 (ii) DIRECTOR.

29 (iii) ALL NON-CLERICAL EMPLOYEES OF BOARD.

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1        **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance  
2 are not law and may not be considered to have been enacted as a part of this or any prior  
3 Ordinance.

4        **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
5 after the date it is enacted.<sup>28</sup>

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<sup>28</sup> **Baltimore Housing:** Recommends a “phase-in period to afford the licensing board sufficient time to become operational”. **Planning:** In accord.

**Planning:** “Create a phasing plan to license these establishments.”

**Planning:** “Establish a periodic review and report period.”