

COUNCIL BILL 08-163

**UNOFFICIAL REPRINT TO SHOW CONTEXT  
OF AMENDMENTS PROPOSED BY COUNCIL PRESIDENT**

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Live Entertainment and Dancing – Zoning – Conditional Uses**  
3 **Licensing and Regulation – Hospitality Services – Promotion and Coordination**

4 FOR the purpose of ~~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 ~~allowing live entertainment and dancing, in conjunction with restaurants or taverns, as a~~  
11 ~~conditional use in certain Business Districts; expanding the conditions to be considered~~  
12 ~~before granting a conditional use for restaurants or taverns to provide live entertainment or~~  
13 ~~dancing; requiring the Zoning Board to maintain and periodically provide to the City Council~~  
14 ~~certain information about all pending applications for all conditional uses; authorizing the~~  
15 ~~issuance of environmental citations for violations of conditions, etc., imposed on live~~  
16 ~~entertainment or dancing uses; correcting, conforming, and clarifying related provisions; and~~  
17 ~~generally relating to the zoning and related requirements for restaurants and taverns providing~~  
18 ~~live entertainment or dancing.~~

19 BY repealing and reordaining, without amendments

20 Article - Zoning

21 Section(s) 1-153.1, 1-182.2, 1-194.2, 3A-106(8), 6-306(71) and (82), 6-308(1),  
22 6-406(1), (57), and (65), 6-506(1), (23), and (27), 6-606(1), 7-306(56) and (68),  
23 7-307(9) and (12), 8-407(b)(4), 14-103(a)

24 Baltimore City Revised Code  
25 (Edition 2000)

26 ~~BY repealing~~

27 ~~Article - Zoning~~

28 ~~Section(s) 1-153.1, 1-182.2, 1-194.2, 6-406(57) and (65), 6-506(27),~~  
29 ~~7-307(9) and (12), 14-309~~

30 ~~Baltimore City Revised Code~~  
31 ~~(Edition 2000)~~

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 08-0163**

1 ~~By~~ repealing and reordaining, with amendments  
2 Article - Zoning  
3 Section(s) ~~3A-106(8), 6-208(15), 6-306(71) and (82), 6-506(23),~~  
4 ~~7-306(56) and (68), 8-407(b)(4)~~ 14-103(e), 14-309  
5 Baltimore City Revised Code  
6 (Edition 2000)

7 By adding  
8 Article - Zoning  
9 Section(s) 6-308(21), 14-201(f), 17-401(c)  
10 Baltimore City Revised Code  
11 (Edition 2000)

12 By repealing and reordaining, with amendments  
13 Article 1. Mayor, City Council, and Municipal Agencies  
14 Section(s) 40-14(e)(8)  
15 Baltimore City Code  
16 (Edition 2000)

17 ~~By adding~~  
18 ~~Article 15 - Licensing and Regulation~~  
19 ~~Section(s) 10-1 to 10-36, to be under the subtitle designation,~~  
20 ~~“Subtitle 10. Live Entertainment”~~  
21 ~~Baltimore City Code~~  
22 ~~(Edition 2000)~~

23 ~~By adding~~  
24 ~~Article 1 - Mayor, City Council, and Municipal Agencies~~  
25 ~~Section(s) 29-1 to 29-4, to be under the subtitle designation,~~  
26 ~~“Subtitle 29. Office of Hospitality Services”~~  
27 ~~Baltimore City Code~~  
28 ~~(Edition 2000)~~

29 ~~By adding~~  
30 ~~Article 8 - Ethics~~  
31 ~~Section(s) 7-8(17a) and (27a)~~  
32 ~~Baltimore City Code~~  
33 ~~(Edition 2000)~~

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

36 **Baltimore City Revised Code**

37 **Article – Zoning**

**Council Bill 08-0163**

**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;
- d. revue;
- e. dance;
- f. magic act;
- g. disc jockey; or
- h. similar activity.}

*{(b) Exclusions.*

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

**{§ 1-182.2. Restaurant – including live entertainment or dancing.}**

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

**{§ 1-194.2. Tavern – including live entertainment or dancing.}**

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

**Title 3A. Open Space Districts**

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

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

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

**Title 6. Business Districts**

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

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

- (15) Restaurants – including LIVE ENTERTAINMENT AND DANCING, AND INCLUDING accessory outdoor table service[, but not including live entertainment or dancing].

**§ 6-306. {B-2} Permitted uses.**

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

- (71) Restaurants – but not including ~~live entertainment or dancing, and not including~~ accessory outdoor table service.

- (82) Taverns ~~[ – but not including live entertainment or dancing].~~

**§ 6-308. {B-2} Conditional uses — Board approval required.**

In a B-2 District, conditional uses that require Board approval are as follows:

- (1) As in a B-1 District (unless it is a permitted use under § 6-306).

- (21) TAVERNS – INCLUDING LIVE ENTERTAINMENT AND DANCING.

**§ 6-406. {B-3} Permitted uses.**

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

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

- ~~{(57) Restaurants – including live entertainment and dancing, but not including accessory outdoor table service.}~~

- ~~{(65) Taverns – including live entertainment and dancing.}~~

**§ 6-506. {B-4} Permitted uses.**

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

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

- (23) Restaurants – including ~~[live entertainment and dancing, and including]~~ accessory outdoor table service.

- ~~{(27) Taverns – including live entertainment and dancing.}~~

**Council Bill 08-0163**

1 **§ 6-606. {B-5} Permitted uses.**

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

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

4 **Title 7. Industrial Districts**

5 **§ 7-306. {M-2} Permitted uses.**

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

7 (56) Restaurants – including accessory outdoor table service~~],~~ but not including live  
8 entertainment or dancing~~].~~

9 (68) Taverns~~[~~ – but not including live entertainment or dancing~~].~~

10 **§ 7-307. {M-2} Conditional uses — Board approval required.**

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

12 ~~{(9) Restaurants – including live entertainment and dancing— but only if located at least~~  
13 ~~500 feet from a residence district.}~~

14 ~~{(12) Taverns – including live entertainment and dancing — but only if located at least~~  
15 ~~500 feet from a residence district.}~~

16 **Title 8. Overlay Districts**

17 **§ 8-407. {Maritime Industrial} Use regulations.**

18 (b) *Prohibited uses.*

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

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

22 **Title 14. Conditional Uses**

23 **§ 14-103. Imposition of conditions.**

24 (a) *When authorized.*

25 Before the Board or City Council, as the case may be, approves any conditional use, it  
26 may impose on the establishment, location, construction, maintenance, and operation of

**Council Bill 08-0163**

1 the conditional use any conditions, restrictions, or limitations that the Board or City  
2 Council considers necessary or desirable to:

3 (1) reduce or minimize any effect of the use on other properties in the neighborhood;

4 (2) secure compliance with the standards and requirements of this title; and

5 (3) better carry out the intent and purposes of this article.

6 (e) Compliance required.

7 Failure to comply with any condition, restriction, or limitation imposed under this  
8 [section] TITLE constitutes a violation of this article.

9 **§ 14-201. Applications.**

10 (F) LIST OF PENDING APPLICATIONS.

11 (1) THE BOARD MUST MAINTAIN A LIST OF ALL PENDING APPLICATIONS FOR A  
12 CONDITIONAL USE.

13 (2) THE LIST MUST BE ARRANGED BY COUNCIL DISTRICT AND INCLUDE, FOR EACH  
14 APPLICATION:

15 (I) THE PROPERTY'S ADDRESS AND ZONING DISTRICT;

16 (II) THE APPLICANT'S NAME AND CONTACT INFORMATION;

17 (III) THE PROPOSED USE OF THE PROPERTY;

18 (IV) THE DATE THE APPLICATION WAS FILED; AND

19 (V) THE DATE OF THE HEARING BEFORE THE BOARD.

20 (3) AT LEAST MONTHLY, THE BOARD MUST SUBMIT A COPY OF THE CURRENT LIST TO THE  
21 PRESIDENT AND MEMBERS OF THE CITY COUNCIL.

22 **{§ 14-309. [Live] RESTAURANTS OR TAVERNS WITH LIVE entertainment or dancing.}**

23 (A) SCOPE.

24 THIS SECTION APPLIES TO ANY RESTAURANT OR TAVERN THAT SEEKS A CONDITIONAL-USE  
25 AUTHORIZATION TO PROVIDE LIVE ENTERTAINMENT, DANCING, OR BOTH AS AN  
26 ACCESSORY USE.

27 (B) APPLICATION.

28 (1) IN ADDITION TO THE INFORMATION REQUIRED UNDER § 14-201 {"APPLICATIONS"} OF  
29 THIS TITLE OR OTHERWISE REQUIRED BY THE BOARD, THE APPLICATION FOR  
30 CONDITIONAL USE MUST INCLUDE:

**Council Bill 08-0163**

1                   (I) A DESCRIPTION OF THE TYPE OF LIVE ENTERTAINMENT OR DANCING TO BE  
2                   PROVIDED; AND

3                   (II) A FLOOR PLAN, IN THE FORM AND WITH THE DETAIL THAT THE BOARD  
4                   REQUIRES, OF:

5                               (A) THE ESTABLISHMENT GENERALLY; AND

6                               (B) THE LIVE ENTERTAINMENT OR DANCING VENUE WITHIN THE  
7                               ESTABLISHMENT.

8                   (2) IF DANCING IS TO BE PROVIDED, THE FLOOR PLAN MUST SHOW:

9                               (I) THE LOCATION AND DIMENSIONS OF THE DANCE FLOOR; AND

10                   (II) THE MAXIMUM AUTHORIZED OCCUPANT LOAD, AS APPROVED BY THE FIRE  
11                   DEPARTMENT, FOR ALL CONFIGURATIONS OF:

12                               (A) THE ESTABLISHMENT GENERALLY; AND

13                               (B) THE DANCING VENUE WITHIN THE ESTABLISHMENT.

14                   (C) IMPOSITION OF CONDITIONS.

15                   [For a restaurant or tavern operating with live entertainment or dancing as an accessory  
16                   use] IN APPROVING A CONDITIONAL USE, the Board must [consider imposing] IMPOSE  
17                   conditions, as appropriate, concerning:

18                   (1) days and hours:

19                               (I) of [operation] THE ESTABLISHMENT’S GENERAL OPERATIONS AS A  
20                               RESTAURANT OR TAVERN; AND

21                               (II) OF THE LIVE ENTERTAINMENT OR DANCING TO BE PROVIDED;

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

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

25                   (4) number of live entertainers;

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

27                   (6) exterior lighting;

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

29                   (8) PROXIMITY OF RESIDENCES, SCHOOLS, RELIGIOUS INSTITUTIONS, OR PARKS TO THE  
30                   ESTABLISHMENT;

**Council Bill 08-0163**

1 (9) MAXIMUM AUTHORIZED OCCUPANT LOADS OF THE ESTABLISHMENT AND OF THE  
2 LIVE ENTERTAINMENT OR DANCING VENUE WITHIN THE ESTABLISHMENT;

3 (10) VOLUME AND TYPES OF VEHICULAR AND PEDESTRIAN TRAFFIC IN THE AREA OF  
4 THE ESTABLISHMENT; and

5 (11) [(10)] the establishment and maintenance of:

6 (i) a traffic ~~and parking~~ management plan; [and]

7 (II) A PARKING MANAGEMENT PLAN;

8 (III) [(ii)] an indoor and outdoor security plan; AND

9 (IV) A SANITATION PLAN.]

10 **Title 17. Enforcement and Penalties**

11 **Subtitle 4. Enforcement by Civil Citation**

12 **§ 17-401. In general.**

13 (C) CONDITIONAL-USE LIVE ENTERTAINMENT.

14 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,  
15 § 14-103 {"CONDITIONAL USES: IMPOSITION OF CONDITIONS"}, AS APPLIED TO  
16 RESTAURANTS OR TAVERNS WITH LIVE ENTERTAINMENT OR DANCING, AND § 14-309  
17 {"CONDITIONAL USES: RESTAURANTS, TAVERNS WITH LIVE ENTERTAINMENT AND  
18 DANCING"} OF THIS ARTICLE, MAY BE ENFORCED BY ISSUANCE OF AN ENVIRONMENTAL  
19 CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40 {"ENVIRONMENTAL CONTROL  
20 BOARD"}.

21 **Baltimore City Code**

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

23 **Subtitle 40. Environmental Control Board**

24 **§ 40-14. Violations to which subtitle applies.**

25 (e) Provisions and penalties enumerated.

26 **(8) Zoning Code**

27 § 2-402. Use permit required \$500

28 § 3-107. Prohibited uses - storage, etc., of vehicles \$ 50



~~Article 15. Licensing and Regulation~~

~~SUBTITLE 10. LIVE ENTERTAINMENT~~

~~PART I. DEFINITIONS; GENERAL PROVISIONS~~

~~§ 10-1. DEFINITIONS.~~

~~(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.~~

~~“DANCE CLUB” MEANS AN ESTABLISHMENT THAT:~~

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

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

~~(D) INCLUDES; INCLUDING.~~

~~“INCLUDES” OR “INCLUDING” MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF LIMITATION.~~

~~(E) LIVE ENTERTAINMENT.~~

~~(1) IN GENERAL.~~

~~“LIVE ENTERTAINMENT” MEANS ANY ENTERTAINMENT THAT IS PERFORMED LIVE BY ONE OR MORE PERSONS, WHETHER OR NOT DONE FOR COMPENSATION, WHETHER OR NOT ADMISSION IS CHARGED, AND WHETHER THE ENTERTAINMENT IS A PRINCIPAL, ACCESSORY, OR OTHER USE OF THE PREMISES.~~

~~(2) INCLUSIONS.~~

~~“LIVE ENTERTAINMENT” INCLUDES, EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, ANY:~~

~~(1) MUSICAL ACT, CONCERT, OR RECITAL;~~

~~(2) THEATRICAL ACT, PLAY, OR REVUE;~~

Council Bill 08-0163

1 ~~\_\_\_\_\_ (3) CIRCUS, AERIAL, OR ACROBATIC PERFORMANCE;~~

2 ~~\_\_\_\_\_ (4) DANCE PERFORMANCE;~~

3 ~~\_\_\_\_\_ (5) PARTICIPATORY DANCING;~~

4 ~~\_\_\_\_\_ (6) MAGIC ACT;~~

5 ~~\_\_\_\_\_ (7) KARAOKE;~~

6 ~~\_\_\_\_\_ (8) DISC JOCKEY;~~

7 ~~\_\_\_\_\_ (9) POETRY RECITAL OR BOOK READING;~~

8 ~~\_\_\_\_\_ (10) PERFORMANCE ART;~~

9 ~~\_\_\_\_\_ (11) STAND-UP OR OTHER COMEDY; OR~~

10 ~~\_\_\_\_\_ (12) SIMILAR ACTIVITY.~~

11 ~~\_\_\_\_\_ (3) EXCLUSIONS:~~

12 ~~\_\_\_\_\_ "LIVE ENTERTAINMENT" DOES NOT INCLUDE:~~

13 ~~\_\_\_\_\_ (1) ADULT ENTERTAINMENT, AS DEFINED IN § 1-1 OF THIS ARTICLE; OR~~

14 ~~\_\_\_\_\_ (2) A ONE-DAY, NONRECURRING EVENT EXEMPTED FROM THIS SUBTITLE BY A RULE~~  
15 ~~OR REGULATION OF THE BOARD; OR~~

16 ~~\_\_\_\_\_ (F) PERSON.~~

17 ~~\_\_\_\_\_ (1) IN GENERAL.~~

18 ~~\_\_\_\_\_ "PERSON" MEANS:~~

19 ~~\_\_\_\_\_ (i) AN INDIVIDUAL;~~

20 ~~\_\_\_\_\_ (ii) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY~~  
21 ~~KIND; OR~~

22 ~~\_\_\_\_\_ (iii) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY,~~  
23 ~~OR REPRESENTATIVE OF ANY KIND.~~

24 ~~\_\_\_\_\_ (2) EXCLUSIONS.~~

25 ~~\_\_\_\_\_ "PERSON" DOES NOT INCLUDE, UNLESS OTHERWISE EXPRESSLY PROVIDED, A~~  
26 ~~GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL~~  
27 ~~ENTITY.~~

Council Bill 08-0163

1 ~~—(G) RESTAURANT.~~

2 ~~—“RESTAURANT” MEANS A BUSINESS ESTABLISHMENT THAT:~~

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

4 ~~—(H) MIGHT OR MIGHT NOT ALSO SERVE ALCOHOLIC BEVERAGES.~~

5 ~~—(H) TAVERN.~~

6 ~~—“TAVERN” MEANS A BUSINESS ESTABLISHMENT THAT:~~

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

9 ~~—(2) MIGHT OR MIGHT NOT ALSO SERVE FOOD.~~

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

11 ~~—(A) MANDATORY TERMS.~~

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

14 ~~—(B) PROHIBITORY TERMS.~~

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

17 ~~—(C) PERMISSIVE TERMS.~~

18 ~~—“MAY” IS PERMISSIVE.~~

19 ~~§§ 10-3 TO 10-5. {RESERVED}~~

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

21 ~~§ 10-6. BOARD ESTABLISHED.~~

22 ~~—THERE IS A BOARD OF LICENSES FOR LIVE ENTERTAINMENT.~~

23 ~~§ 10-7. COMPOSITION.~~

24 ~~—(A) IN GENERAL.~~

25 ~~—THE BOARD COMPRISES THE FOLLOWING 5 MEMBERS:~~

26 ~~—(1) 2 MEMBERS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6 OF~~  
27 ~~THE CITY CHARTER;~~

28 ~~—(2) THE PRESIDENT OF THE CITY COUNCIL OR THE PRESIDENT’S DESIGNEE;~~

**Council Bill 08-0163**

1 ~~———— (3) 1 COUNCILMEMBER APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL; AND~~

2 ~~———— (4) THE DIRECTOR OF HOSPITALITY SERVICES.~~

3 ~~— (B) QUALIFICATIONS.~~

4 ~~———— OF THE MEMBERS APPOINTED BY THE MAYOR:~~

5 ~~———— (1) 1 MUST HAVE SUBSTANTIAL EXPERIENCE WITH THE LIVE ENTERTAINMENT~~  
6 ~~INDUSTRY; AND~~

7 ~~———— (2) THE OTHER MAY NOT HAVE ANY FINANCIAL INTEREST IN ANY ENTITY THAT OFFERS~~  
8 ~~OR PROMOTES LIVE ENTERTAINMENT.~~

9 **~~§ 10-8. TENURE.~~**

10 ~~— THE TERM OF EACH MEMBER IS 4 YEARS, CONCURRENT WITH THE MAYOR'S TERM OF OFFICE,~~  
11 ~~AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

12 **~~§ 10-9. QUORUM; VOTING.~~**

13 ~~— (A) QUORUM.~~

14 ~~———— 3 MEMBERS OF THE BOARD ARE A QUORUM.~~

15 ~~— (B) VOTING.~~

16 ~~———— AN AFFIRMATIVE VOTE OF AT LEAST 3 MEMBERS IS NEEDED FOR ANY ACTION BY THE~~  
17 ~~BOARD.~~

18 **~~§ 10-10. OFFICERS; EXPENSES.~~**

19 ~~— (A) OFFICERS.~~

20 ~~———— (1) THE DIRECTOR OF HOSPITALITY SERVICES SERVES AS THE BOARD'S CHAIR.~~

21 ~~———— (2) THE BOARD MAY ELECT, FROM AMONG ITS MEMBERS, ANY OTHER OFFICERS NEEDED~~  
22 ~~FROM TIME TO TIME.~~

23 ~~— (B) COMPENSATION.~~

24 ~~———— THE MEMBERS OF THE BOARD:~~

25 ~~———— (1) RECEIVE NO COMPENSATION FOR SERVICES RENDERED AS MEMBERS OF THE~~  
26 ~~BOARD; BUT~~

27 ~~———— (2) ARE ENTITLED TO REIMBURSEMENT FOR NECESSARY AND PROPER EXPENSES~~  
28 ~~INCURRED IN PERFORMING THEIR DUTIES AS A MEMBER.~~

Council Bill 08-0163

1 ~~§ 10-11. STAFF.~~

2 ~~— THE BOARD MAY APPOINT EMPLOYEES, ASSISTANTS, AND INVESTIGATORS AS PROVIDED IN~~  
3 ~~THE ORDINANCES OF ESTIMATES.~~

4 ~~§ 10-12. RULES, REGULATIONS, AND FORMS.~~

5 ~~— (A) BOARD TO ADOPT.~~

6 ~~— THE BOARD MUST ADOPT RULES, REGULATIONS, AND FORMS TO CARRY OUT THIS SUBTITLE.~~

7 ~~— (B) ADVERTISING FOR HEARING AND COMMENT.~~

8 ~~— (1) THE BOARD MUST ADVERTISE FOR PUBLIC HEARING AND COMMENT ALL RULES AND~~  
9 ~~REGULATIONS PROPOSED FOR ADOPTION OR AMENDMENT UNDER THIS SUBTITLE.~~

10 ~~— (2) THE ADVERTISEMENT:~~

11 ~~— (i) MUST BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION AT LEAST 15~~  
12 ~~DAYS BEFORE THE HEARING; AND~~

13 ~~— (ii) MUST INCLUDE:~~

14 ~~— (A) A DESCRIPTION OF THE PROPOSED RULES AND REGULATIONS;~~

15 ~~— (B) THE DATE, TIME, AND LOCATION OF THE PUBLIC HEARING; AND~~

16 ~~— (C) INFORMATION ON HOW A PERSON CAN OBTAIN A COPY OF THE PROPOSED~~  
17 ~~RULES AND REGULATIONS BEFORE THE HEARING.~~

18 ~~— (C) ADOPTION.~~

19 ~~— AFTER THE PUBLIC HEARING, THE BOARD MAY ADOPT THE FINAL RULES, REGULATIONS, OR~~  
20 ~~AMENDMENTS WITH AN EFFECTIVE DATE OF AT LEAST 15 DAYS AFTER THE DATE OF THEIR~~  
21 ~~ADOPTION.~~

22 ~~— (D) FILING.~~

23 ~~— A COPY OF THE RULES, REGULATIONS, AND FORMS AND OF ANY AMENDMENTS TO THEM~~  
24 ~~MUST BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE~~  
25 ~~EFFECT.~~

26 ~~§§ 10-13 TO 10-15. {RESERVED}~~

27 ~~*PART III. LICENSING*~~

28 ~~§ 10-16. LICENSE REQUIRED.~~

29 ~~— NO RESTAURANT, TAVERN, OR DANCE CLUB MAY PROVIDE LIVE ENTERTAINMENT OR DANCING~~  
30 ~~WITHOUT HAVING FIRST OBTAINED A LICENSE TO DO SO FROM THE BOARD OF LICENSES FOR~~  
31 ~~LIVE ENTERTAINMENT.~~

Council Bill 08-0163

1 ~~§ 10-17. CLASSES AND SCOPE.~~

2 ~~— (A) IN GENERAL.~~

3 ~~— IN ITS RULES AND REGULATIONS, THE BOARD MUST:~~

4 ~~— (1) DELINEATE THE VARIOUS CLASSES OF LICENSES TO BE ISSUED; AND~~

5 ~~— (2) FOR EACH CLASS OF LICENSE, SPECIFY:~~

6 ~~— (i) THE TYPES OF ENTERTAINMENT THAT MAY BE PERFORMED UNDER THE~~  
7 ~~LICENSE;~~

8 ~~— (ii) THE DAYS AND HOURS OF OPERATION;~~

9 ~~— (iii) THE TERM OF THE LICENSE; AND~~

10 ~~— (iii) ALL OTHER LIMITATIONS APPLICABLE TO THAT CLASS.~~

11 ~~— (B) REQUIRED CONSIDERATIONS.~~

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

13 ~~— (1) USE OF AMPLIFICATION, NOISE LEVELS, AND NEED FOR NOISE PROOFING;~~

14 ~~— (2) LIMITS ON THE SIZE OF THE ESTABLISHMENT OR ON THE SIZE, LOCATION, OR~~  
15 ~~CONFIGURATION OF THE ENTERTAINMENT OR DANCING VENUE WITHIN THE~~  
16 ~~ESTABLISHMENT;~~

17 ~~— (3) NUMBER OF LIVE ENTERTAINERS;~~

18 ~~— (4) EXTERIOR LIGHTING;~~

19 ~~— (5) WHETHER TO LIMIT THE LIVE ENTERTAINMENT TO DANCING ONLY;~~

20 ~~— (6) THE PROXIMITY OF RESIDENCES, SCHOOLS, RELIGIOUS INSTITUTIONS, OR PARKS TO~~  
21 ~~THE PROPOSED ENTERTAINMENT VENUE;~~

22 ~~— (7) THE MAXIMUM AUTHORIZED OCCUPANT LOAD OF THE VENUE;~~

23 ~~— (8) THE VOLUME AND TYPES OF VEHICULAR AND PEDESTRIAN TRAFFIC IN THE AREA OF~~  
24 ~~THE PROPOSED ENTERTAINMENT VENUE; AND~~

25 ~~— (9) THE ESTABLISHMENT AND MAINTENANCE OF:~~

26 ~~— (i) A TRAFFIC MANAGEMENT PLAN;~~

27 ~~— (ii) A PARKING MANAGEMENT PLAN;~~

28 ~~— (iii) AN INDOOR AND OUTDOOR SECURITY PLAN; AND~~

Council Bill 08-0163

1 ~~\_\_\_\_\_ (IV) A SANITATION PLAN.~~

2 ~~§ 10-18. APPLICATIONS—IN GENERAL.~~

3 ~~— (A) IN GENERAL.~~

4 ~~\_\_\_\_\_ THE OWNER OF THE PROPOSED ENTERTAINMENT VENUE MUST APPLY TO THE BOARD FOR~~  
5 ~~THE CLASS OF LICENSE SOUGHT.~~

6 ~~— (B) FORM.~~

7 ~~\_\_\_\_\_ THE APPLICATION MUST BE IN THE FORM AND CONTAIN THE INFORMATION THAT THE~~  
8 ~~BOARD REQUIRES.~~

9 ~~— (C) APPLICATION FEE.~~

10 ~~\_\_\_\_\_ (1) THE APPLICATION MUST BE ACCOMPANIED BY A ONE TIME, NON-REFUNDABLE~~  
11 ~~APPLICATION FEE.~~

12 ~~\_\_\_\_\_ (2) THE AMOUNT OF THE FEE SHALL AS SET BY THE BOARD, WITH THE APPROVAL OF THE~~  
13 ~~BOARD OF ESTIMATES, TO COVER BOARD EXPENSES.~~

14 ~~§ 10-19. APPLICATIONS—RESPONSIBLE PARTIES.~~

15 ~~— (A) BY WHOM MADE.~~

16 ~~\_\_\_\_\_ (1) THE APPLICATION MUST BE MADE AS FOLLOWS:~~

17 ~~\_\_\_\_\_ (I) IF A CORPORATION, BY ITS CHIEF EXECUTIVE OFFICER;~~

18 ~~\_\_\_\_\_ (II) IF A PARTNERSHIP, BY ITS MANAGING PARTNER; OR~~

19 ~~\_\_\_\_\_ (III) IF A PROPRIETORSHIP, BY ITS OWNER.~~

20 ~~\_\_\_\_\_ (2) ALL INFORMATION REQUIRED IN THE APPLICATION ABOUT AN APPLICANT MUST BE~~  
21 ~~GIVEN WITH RESPECT TO THE INDIVIDUALS MAKING THE APPLICATION, AND THE~~  
22 ~~DETERMINATION OF THE BOARD MUST BE BASED ON THE ELIGIBILITY OF THOSE~~  
23 ~~INDIVIDUALS.~~

24 ~~\_\_\_\_\_ (3) IF APPROVED, THE LICENSE MUST BE ISSUED IN THE NAME OF THE INDIVIDUAL~~  
25 ~~APPLICANT FOR THE BENEFIT OF THE OWNER.~~

26 ~~§ 10-20. INVESTIGATION OF APPLICANTS.~~

27 ~~\_\_\_\_\_ ON RECEIPT OF THE APPLICATION, THE BOARD MUST INVESTIGATE THE CHARACTER AND~~  
28 ~~QUALIFICATIONS OF THE APPLICANT.~~

Council Bill 08-0163

1 ~~§ 10-21. QUALIFICATIONS.~~

2 ~~— (A) MORAL CHARACTER; AGE.~~

3 ~~— (1) A LIVE ENTERTAINMENT LICENSE MAY NOT BE ISSUED FOR ANY PERSON UNLESS THE~~  
4 ~~APPLICANT:~~

5 ~~— (i) BASED ON THE CONSIDERATIONS SPECIFIED IN SUBSECTION (B) OF THIS SECTION,~~  
6 ~~IS OF GOOD MORAL CHARACTER; AND~~

7 ~~— (ii) IS AT LEAST 21 YEARS OLD.~~

8 ~~— (2) IN DETERMINING MORAL CHARACTER, THE BOARD MUST CONSIDER:~~

9 ~~— (i) ALL CRIMINAL CONVICTIONS OF THE APPLICANT; AND~~

10 ~~— (ii) THE BUSINESS HISTORY OF THE APPLICANT.~~

11 ~~— (B) ZONING AUTHORIZATION.~~

12 ~~— A LIVE ENTERTAINMENT LICENSE MAY NOT BECOME EFFECTIVE UNLESS ALL ZONING~~  
13 ~~AUTHORIZATIONS REQUIRED FOR THE USE HAVE BEEN OBTAINED AND ANY RIGHT OF~~  
14 ~~APPEAL HAS BEEN EXHAUSTED.~~

15 ~~§ 10-22. POSTING; OBJECTIONS.~~

16 ~~— (A) POSTING REQUIRED.~~

17 ~~— (1) ON FILING AN APPLICATION FOR AN INITIAL LICENSE, THE APPLICANT MUST POST THE~~  
18 ~~PROPOSED VENUE FOR 30 DAYS, IN ACCORDANCE WITH THE BOARD'S RULES AND~~  
19 ~~REGULATIONS.~~

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

22 ~~— (B) 9 OR FEWER OBJECTIONS.~~

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

26 ~~— (C) 10 OR MORE OBJECTIONS.~~

27 ~~— (1) IF, WITHIN THE 30-DAY POSTING PERIODS, THE BOARD RECEIVES 10 OR MORE WRITTEN~~  
28 ~~OBJECTIONS FROM PROPERTY OWNERS OR RESIDENTS WITHIN A 10-BLOCK RADIUS OF~~  
29 ~~THE PROPOSED VENUE, THE BOARD MUST:~~

30 ~~— (i) REFER THE APPLICANT AND OBJECTORS TO THE DIRECTOR OF HOSPITALITY~~  
31 ~~SERVICES FOR MEDIATION OF THEIR DIFFERENCES; AND~~



Council Bill 08-0163

1 ~~————— (H) IF THE MEDIATION IS UNSUCCESSFUL AS TO ONE OR MORE MATTERS, HOLD A~~  
2 ~~HEARING ON THE UNRESOLVED MATTERS.~~

3 ~~————— (2) UNLESS THE APPLICANT AGREES TO A LATER DATE, THE MEDIATION MUST BE~~  
4 ~~CONCLUDED WITHIN 21 DAYS AFTER THE LAST DAY OF THE 30-DAY POSTING PERIODS.~~  
5 ~~AT THE CONCLUSION OF THAT PERIOD, THE DIRECTOR OF HOSPITALITY SERVICES MUST~~  
6 ~~CERTIFY TO THE BOARD THE RESULTS OF THE MEDIATION AND WHETHER A HEARING IS~~  
7 ~~REQUIRED ON ONE OR MORE UNRESOLVED MATTERS.~~

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

11 ~~————— (4) AT THE HEARING, PARTIES IN INTEREST AND CITIZENS MUST BE GIVEN AN OPPORTUNITY~~  
12 ~~TO BE HEARD.~~

13 ~~§ 10-23. DECISION ON APPLICATION.~~

14 ~~————— (A) BOARD TO DECIDE.~~

15 ~~————— THE BOARD MUST NOTIFY THE APPLICANT IN WRITING OF ITS DECISION TO GRANT OR DENY~~  
16 ~~THE LICENSE AS FOLLOWS:~~

17 ~~————— (1) IF NO HEARING IS REQUIRED TO BE HELD UNDER § 10-22(C) OF THIS SUBTITLE OR~~  
18 ~~UNDER SUBSECTION (C) OF THIS SECTION, WITHIN 15 DAYS AFTER THE LAST DAY OF~~  
19 ~~THE 30-DAY POSTING PERIODS; AND~~

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

21 ~~————— (B) CONSIDERATIONS.~~

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

24 ~~————— (C) CONDITIONS.~~

25 ~~————— ON NOTICE TO THE APPLICANT AND AN OPPORTUNITY TO BE HEARD, THE BOARD MAY~~  
26 ~~IMPOSE REASONABLE CONDITIONS ON A LICENSE TO PROTECT THE PUBLIC HEALTH, SAFETY,~~  
27 ~~AND WELFARE.~~

28 ~~§ 10-24. TERM AND RENEWAL OF LICENSES.~~

29 ~~————— (A) TERM.~~

30 ~~————— EXCEPT FOR SINGLE EVENT, SHORT TERM, OR SIMILAR LICENSES WITH A SPECIFIED~~  
31 ~~EXPIRATION, EACH LIVE ENTERTAINMENT LICENSE EXPIRES ANNUALLY ON THE~~  
32 ~~ANNIVERSARY OF ITS ISSUANCE AND IS RENEWABLE AS PROVIDED IN THIS SECTION.~~

Council Bill 08-0163

1 ~~—(B) APPLICATION FOR RENEWAL.~~

2 ~~——(1) TO RENEW A LIVE ENTERTAINMENT LICENSE, THE LICENSEE MUST APPLY NO LESS THAN~~  
3 ~~30 DAYS NOR MORE THAN 60 DAYS BEFORE THE LICENSE EXPIRES.~~

4 ~~——(2) THE RENEWAL APPLICATION MUST BE IN THE FORM AND CONTAIN THE INFORMATION~~  
5 ~~THAT THE BOARD REQUIRES.~~

6 ~~—(C) POSTING.~~

7 ~~——NOTICE OF THE RENEWAL APPLICATION MUST BE POSTED ON THE BOARD’S WEBSITE FOR AT~~  
8 ~~LEAST 25 DAYS DURING THE PENDENCY OF THE APPLICATION.~~

9 ~~—(D) APPROVAL.~~

10 ~~——ON FILING THE RENEWAL APPLICATION AND PAYMENT OF THE RENEWAL FEE, THE BOARD~~  
11 ~~MAY APPROVE THE APPLICATION, EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS~~  
12 ~~SECTION.~~

13 ~~—(E) 10 OR MORE OBJECTIONS.~~

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

17 ~~——(I) REFER THE LICENSEE AND OBJECTORS TO THE DIRECTOR OF HOSPITALITY~~  
18 ~~SERVICES FOR MEDIATION OF THEIR DIFFERENCES; AND~~

19 ~~——(H) IF THE MEDIATION IS UNSUCCESSFUL AS TO ONE OR MORE MATTERS, HOLD A~~  
20 ~~HEARING ON THE UNRESOLVED MATTERS.~~

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

24 ~~——(3) THE HEARING MUST BE CONDUCTED AS PROVIDED IN § 10-22(c)(3) OF THIS SUBTITLE~~  
25 ~~FOR AN INITIAL APPLICATION.~~

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

27 ~~§ 10-25. LICENSE FEES.~~

28 ~~——THE ANNUAL, SINGLE-EVENT, SHORT-TERM, OR SIMILAR LICENSE FEE FOR THE VARIOUS~~  
29 ~~CLASSES OF LICENSES ARE AS SET BY THE BOARD, WITH THE APPROVAL OF THE BOARD OF~~  
30 ~~ESTIMATES.~~

31 ~~§ 10-26. WAITING PERIOD AFTER DENIAL.~~

32 ~~——IF THE BOARD DENIES A LIVE ENTERTAINMENT LICENSE OR RENEWAL LICENSE, THE APPLICANT~~  
33 ~~MAY NOT REAPPLY FOR AT LEAST 9 MONTHS FROM THE DATE OF THE BOARD’S FINAL DECISION~~  
34 ~~OR, IF THAT DECISION WAS APPEALED, FROM THE DATE OF THE FINAL COURT DECISION.~~

Council Bill 08-0163

1 ~~§ 10-27. TRANSFER OF LICENSE.~~

2 ~~— A LIVE ENTERTAINMENT LICENSE IS NOT TRANSFERABLE TO A NEW OWNER, TO A NEW~~  
3 ~~APPLICANT, TO A DIFFERENT VENUE, OR OTHERWISE.~~

4 ~~§ 10-28. “WHITE BOOK”.~~

5 ~~— (A) “WHITE BOOK” DEFINED.~~

6 ~~— “WHITE BOOK” MEANS A COMPILATION, IN THE FORM REQUIRED BY RULE OR REGULATION~~  
7 ~~OF THE DIRECTOR OF HOSPITALITY SERVICES, OF THE FOLLOWING INFORMATION ABOUT A~~  
8 ~~LICENSEE:~~

9 ~~— (1) THE NAME OF AND CONTACT INFORMATION FOR THE LICENSEE;~~

10 ~~— (2) THE PARKING, TRAFFIC, SECURITY, AND SANITATION PLANS FOR THE LICENSED~~  
11 ~~VENUE;~~

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

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

16 ~~— (B) LICENSEE TO MAINTAIN FOR INSPECTION.~~

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

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

22 ~~§§ 10-29 TO 10-30. {RESERVED}~~

23 ~~*PART IV. ADMINISTRATIVE SANCTIONS*~~

24 ~~§ 10-31. DENIAL, SUSPENSION, OR REVOCATION.~~

25 ~~— THE BOARD MAY DENY, SUSPEND, OR REVOKE A LIVE ENTERTAINMENT LICENSE OR RENEWAL~~  
26 ~~LICENSE FOR ANY OF THE FOLLOWING CAUSES:~~

27 ~~— (1) FAILING TO PAY THE APPLICABLE LICENSE FEE ON OR BEFORE THE DUE DATE;~~

28 ~~— (2) MAKING ANY MATERIAL FALSE STATEMENT IN ANY APPLICATION FOR AN INITIAL OR~~  
29 ~~RENEWAL LICENSE;~~

30 ~~— (3) LACK OF ACCESSIBILITY FOR FIRE AND POLICE PROTECTION;~~

Council Bill 08-0163

1 ~~———— (4) FAILING TO COMPLY WITH ANY PROVISION OF THE BUILDING, FIRE, AND RELATED~~  
2 ~~CODES OF BALTIMORE CITY, THE HEALTH CODE OF BALTIMORE CITY, OR THE ZONING~~  
3 ~~CODE OF BALTIMORE CITY;~~

4 ~~———— (5) FAILING TO COMPLY WITH ANY PROVISION OF THIS SUBTITLE OR OF ANY RULE OR~~  
5 ~~REGULATION ADOPTED UNDER THIS SUBTITLE; OR~~

6 ~~———— (6) FAILING TO COMPLY WITH ANY PROVISION OF ANY OTHER LOCAL, STATE, OR FEDERAL~~  
7 ~~LAW THAT AFFECTS OR RELATES TO LIVE ENTERTAINMENT.~~

8 **~~§ 10-32. FINES.~~**

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

12 ~~———— (1) FOR A 1<sup>ST</sup> OFFENSE, NOT MORE THAN \$500; AND~~

13 ~~———— (2) FOR ANY SUBSEQUENT OFFENSE, NOT MORE THAN \$1,000.~~

14 **~~§ 10-33. NOTICE AND HEARING.~~**

15 ~~———— (A) *IN GENERAL.*~~

16 ~~———— NO LIVE ENTERTAINMENT LICENSE OR RENEWAL LICENSE MAY BE DENIED, SUSPENDED, OR~~  
17 ~~REVOKED AND NO FINE MAY BE IMPOSED UNLESS THE BOARD GIVES THE APPLICANT OR~~  
18 ~~LICENSEE:~~

19 ~~———— (1) AT LEAST 10 DAYS' WRITTEN NOTICE OF THE INTENT TO IMPOSE SANCTIONS; AND~~

20 ~~———— (2) AN OPPORTUNITY TO BE HEARD AS TO WHY SANCTIONS SHOULD NOT BE IMPOSED.~~

21 ~~———— (B) *DENIAL OF INITIAL LICENSE.*~~

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

24 **~~§ 10-34. JUDICIAL AND APPELLATE REVIEW.~~**

25 ~~———— (A) *JUDICIAL REVIEW.*~~

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

29 ~~———— (B) *STAYS.*~~

30 ~~———— (1) THE FILING OF A PETITION FOR JUDICIAL REVIEW DOES NOT STAY THE DECISION OF THE~~  
31 ~~BOARD.~~

**Council Bill 08-0163**

1 ~~———— (2) HOWEVER, ON MOTION AND AFTER HEARING, THE COURT MAY GRANT A STAY AS~~  
2 ~~PROVIDED IN THE MARYLAND RULES OF PROCEDURE.~~

3 ~~———— (C) APPELLATE REVIEW.~~

4 ~~———— A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT’S FINAL JUDGMENT TO THE~~  
5 ~~COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES OF~~  
6 ~~PROCEDURE.~~

7 ~~§ 10-35. {RESERVED}~~

8 ***PART V. PENALTIES***

9 ~~§ 10-36. PENALTIES.~~

10 ~~———— (A) IN GENERAL.~~

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

15 ~~———— (B) EACH DAY A SEPARATE OFFENSE.~~

16 ~~———— EACH DAY THAT A VIOLATION CONTINUES AFTER NOTIFICATION CONSTITUTES A SEPARATE~~  
17 ~~OFFENSE.~~

18 **~~Article 1. Mayor, City Council, and Municipal Agencies~~**

19 **~~SUBTITLE 29. OFFICE OF HOSPITALITY SERVICES~~**

20 ~~§ 29-1. OFFICE ESTABLISHED.~~

21 ~~———— THERE IS AN OFFICE OF HOSPITALITY SERVICES IN THE OFFICE OF THE MAYOR.~~

22 ~~§ 29-2. DIRECTOR — APPOINTMENT.~~

23 ~~———— THE DIRECTOR OF THE OFFICE IS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE~~  
24 ~~IV, § 6 OF THE CITY CHARTER.~~

25 ~~§ 29-3. DIRECTOR — POWERS AND DUTIES.~~

26 ~~———— (A) IN GENERAL.~~

27 ~~———— THE DIRECTOR HAS THE FOLLOWING POWERS AND DUTIES.~~

28 ~~———— (B) BOARD CHAIR.~~

29 ~~———— THE DIRECTOR SERVES AS THE CHAIR OF THE BOARD OF LICENSES FOR LIVE~~  
30 ~~ENTERTAINMENT.~~

Council Bill 08-0163

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 ~~—(E) COMMUNITY INDUSTRY LIAISON.~~

21 ~~—THE DIRECTOR SHALL:~~

22 ~~—(1) ORGANIZE ROUNDTABLE MEETINGS FOR THE GENERAL PUBLIC AND THE~~  
23 ~~HOSPITALITY INDUSTRY;~~

24 ~~—(2) SEEK TO MEDIATE DISPUTES BETWEEN THE GENERAL PUBLIC AND THE HOSPITALITY~~  
25 ~~INDUSTRY; AND~~

26 ~~—(3) CONDUCT ORIENTATIONS FOR NEW BUSINESSES IN THE HOSPITALITY INDUSTRY.~~

Council Bill 08-0163

1 ~~—(F) CLOSING HOURS.~~

2 ~~———— TO THE EXTENT AUTHORIZED BY STATE LAW, THE DIRECTOR MAY REGULATE THE CLOSING~~  
3 ~~HOURS OF ENTITIES OPERATING UNDER ALCOHOLIC BEVERAGE LICENSES.~~

4 ~~—(G) “WHITE BOOKS”.~~

5 ~~———— (1) THE DIRECTOR MAY ADOPT RULES AND REGULATIONS TO GOVERN THE FORM AND~~  
6 ~~CONTENT OF THE “WHITE BOOKS” TO BE KEPT BY LIVE ENTERTAINMENT LICENSEES~~  
7 ~~UNDER CITY CODE ARTICLE 15, SUBTITLE 10 (“LIVE ENTERTAINMENT”).~~

8 ~~———— (2) A COPY OF THESE RULES AND REGULATIONS AND OF ANY AMENDMENTS TO THEM MUST~~  
9 ~~BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE~~  
10 ~~EFFECT.~~

11 ~~§ 29-4. STAFF AND BUDGET.~~

12 ~~— THE OFFICE MAY EMPLOY STAFF AND EXPEND FUNDS AS AUTHORIZED IN THE ORDINANCE OF~~  
13 ~~ESTIMATES.~~

14 ~~Article 8. Ethics~~

15 ~~§ 7-8. Persons required to file – Agency officials and staff.~~

16 ~~———— (17A) HOSPITALITY SERVICES, OFFICE OF.~~

17 ~~———— (i) DIRECTOR OF HOSPITALITY SERVICES.~~

18 ~~———— (ii) ALL NON-CLERICAL EMPLOYEES OF OFFICE.~~

19 ~~———— (27A) LIVE ENTERTAINMENT, BOARD OF LICENSES FOR.~~

20 ~~———— (i) MEMBERS OF BOARD.~~

21 ~~———— (ii) DIRECTOR.~~

22 ~~———— (iii) ALL NON-CLERICAL EMPLOYEES OF BOARD.~~

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

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