

SENATE BILL 876

C2

11r2746
CF HB 1242

By: **Senator Klausmeier (By Request – Baltimore County Administration)**

Introduced and read first time: February 17, 2011

Assigned to: Rules

Re-referred to: Finance, February 28, 2011

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2011

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Miscellaneous Business Licenses – Fees**

3 FOR the purpose of ~~authorizing the County Executive and County Council of~~
4 ~~Baltimore County to establish~~ altering certain license fees that applicants are
5 required to pay ~~for acting as a cigarette retailer, for selling cigarettes at retail,~~
6 for keeping a billiard table for commercial use, for doing certain construction
7 business, for keeping a garage where motor vehicles are stored for a fee, for
8 doing the business of cleaning or laundering, for doing business as a plumber or
9 gas fitter, for operating a restaurant, for doing business as a trader, and for
10 operating a chain store; and generally relating to business license fees in
11 Baltimore County.

12 BY repealing and reenacting, with amendments,

13 Article – Business Regulation

14 Section ~~16-204(b)(1), 16-302,~~ 17-504, 17-603, 17-803, 17-1103, 17-1504,
15 17-1604, 17-1808(a), and 17-1809(b)

16 Annotated Code of Maryland

17 (2010 Replacement Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Business Regulation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~16-204.~~

2 (b) (1) ~~An applicant for a license to act as a retailer shall:~~

3 (i) ~~obtain the county license required under § 16-301 of this~~
4 ~~title;~~

5 (ii) ~~submit to the clerk an application for each permanent or~~
6 ~~temporary place of business located in the same enclosure and operated by the same~~
7 ~~applicant; and~~

8 (iii) ~~1. EXCEPT IN BALTIMORE COUNTY, pay to the clerk a~~
9 ~~fee of \$30; AND~~

10 ~~2. IN BALTIMORE COUNTY, PAY TO THE CLERK THE~~
11 ~~FEE ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF~~
12 ~~BALTIMORE COUNTY.~~

13 ~~16-302.~~

14 ~~For each county license, an applicant shall:~~

15 (1) ~~submit an application to the clerk; and~~

16 (2) ~~pay to the clerk a license fee of:~~

17 (i) ~~\$25 in a county other than Cecil County OR BALTIMORE~~
18 ~~COUNTY; [or]~~

19 (ii) ~~\$50 in Cecil County; OR~~

20 (iii) ~~IN BALTIMORE COUNTY, THE AMOUNT ESTABLISHED BY~~
21 ~~THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.~~

22 17-504.

23 An applicant for a billiard table license shall pay to the clerk a license fee of:

24 (1) \$10 for each billiard table in a county other than Baltimore City,
25 **BALTIMORE COUNTY**, or Cecil County;

26 (2) \$20 for each billiard table in Cecil County; ~~[or]~~

27 (3) \$40 for each billiard table in Baltimore City; ~~OR~~

~~(4) THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR EACH BILLIARD TABLE IN BALTIMORE COUNTY.~~

17-603.

(a) An applicant for a construction license shall pay to the clerk a license fee of:

(1) \$15 for a construction license in a county other than Baltimore City, **BALTIMORE COUNTY**, or Cecil County;

(2) \$40 for a construction license in Baltimore City OR BALTIMORE COUNTY; ~~{or}~~

(3) \$30 for a construction license in Cecil County; ~~OR~~

~~(4) THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR A CONSTRUCTION LICENSE IN BALTIMORE COUNTY.~~

(b) (1) Except as provided in paragraph (2) of this subsection, an applicant for a nonresident construction license shall pay to the clerk:

(i) a license fee of:

1. \$50 for a nonresident construction license in a county other than Baltimore City **OR BALTIMORE COUNTY**; ~~{or}~~

2. \$60 for a nonresident construction license in Baltimore City OR BALTIMORE COUNTY; ~~{and} OR~~

~~3. THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY FOR A NONRESIDENT CONSTRUCTION LICENSE IN BALTIMORE COUNTY; AND~~

(ii) for each contract for which the applicant is required to get an additional nonresident construction license, an additional license fee of:

1. \$50, if the contract will be performed in a county other than Baltimore City **OR BALTIMORE COUNTY**; ~~{or}~~

2. \$60, if the contract will be performed in Baltimore City OR BALTIMORE COUNTY; ~~OR~~

~~3. THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY, IF THE CONTRACT WILL BE PERFORMED IN BALTIMORE COUNTY.~~

(2) An applicant for a nonresident construction license who is incorporated or has its principal office in another state shall pay to the clerk the total fees imposed in that state on a similar nonresident business if the total fees are higher than the total license fees under this section.

17-803.

(a) (1) An applicant for a garage license shall pay to the clerk a license fee based on the floor area of each garage.

(2) In a county other than Baltimore City **OR BALTIMORE COUNTY**, the license fee is:

(i) \$20 for a garage with not more than 2,000 square feet;

(ii) \$40 for a garage with more than 2,000 and not more than 3,000 square feet;

(iii) \$75 for a garage with more than 3,000 and not more than 5,000 square feet;

(iv) \$125 for a garage with more than 5,000 and not more than 7,500 square feet;

(v) \$200 for a garage with more than 7,500 and not more than 10,000 square feet; or

(vi) \$200 for a garage with more than 10,000 square feet plus \$50 for each additional 5,000 square feet or part of 5,000 square feet.

(3) In Baltimore City **OR BALTIMORE COUNTY**, the license fee is \$6 for each 100 square feet of each garage.

~~(4) IN BALTIMORE COUNTY, THE LICENSE FEE IS THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY BASED, SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON THE FLOOR AREA OF EACH GARAGE.~~

(b) The floor area on which the license fee is based is the total floor area of all floors of the garage, excluding:

1 (1) the space occupied by a machine shop that is defined by permanent
2 partitions; and

3 (2) the floor area of a space 15 feet wide and extending the entire
4 length or depth of the garage on each floor on which a law requires that a space be
5 kept open.

6 17-1103.

7 (a) An applicant for a license shall pay to the clerk the applicable license fee.

8 (b) In a county other than Baltimore City **OR BALTIMORE COUNTY**, the
9 license fee is:

10 (1) \$15 for a business that employs not more than 10 individuals;

11 (2) \$50 for a business that employs 11 to 20 individuals; and

12 (3) \$100 for a business that employs more than 20 individuals.

13 (c) In Baltimore City **OR BALTIMORE COUNTY**, the license fee is:

14 (1) \$40 for a business that employs not more than 10 individuals;

15 (2) \$125 for a business that employs 11 to 20 individuals; and

16 (3) \$250 for a business that employs more than 20 individuals.

17 ~~(d) IN BALTIMORE COUNTY, THE LICENSE FEE IS THE AMOUNT~~
18 ~~ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF~~
19 ~~BALTIMORE COUNTY.~~

20 17-1504.

21 (a) Except as otherwise provided in subsection (b) or (c) of this section, an
22 applicant for a plumber's license shall pay to the clerk a license fee of:

23 (1) \$5 for each place of business in a municipal corporation with a
24 population of less than 5,000;

25 (2) \$10 for each place of business in a municipal corporation with a
26 population of 5,000 to 9,999;

27 (3) \$15 for each place of business in a municipal corporation with a
28 population of 10,000 or more; or

1 (4) \$40 for each place of business in Baltimore City OR BALTIMORE
 2 COUNTY.

3 (b) ~~(1)~~ In Cecil County, an applicant for a plumber's license shall pay to
 4 the clerk a license fee of \$30.

5 ~~(2) IN BALTIMORE COUNTY, AN APPLICANT FOR A PLUMBER'S~~
 6 ~~LICENSE SHALL PAY TO THE CLERK THE LICENSE FEE ESTABLISHED BY THE~~
 7 ~~COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY.~~

8 (c) An applicant for a plumber's license who is incorporated or has its
 9 principal office in another state shall pay to the clerk the fee imposed in that state on
 10 a similar nonresident business if that fee is higher than the appropriate license fee
 11 under this section.

12 17-1604.

13 An applicant for a restaurant license shall pay to the clerk a license fee of:

14 (1) \$50 for each place of business in Baltimore City, BALTIMORE
 15 COUNTY, or Cecil County;

16 (2) \$25 for each place of business in a municipal corporation with a
 17 population of 8,000 or more in any other county; ~~for~~

18 (3) \$10 for each place of business elsewhere in the State ~~EXCEPT IN~~
 19 ~~BALTIMORE COUNTY; OR~~

20 ~~(4) THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND~~
 21 ~~COUNTY COUNCIL OF BALTIMORE COUNTY FOR EACH PLACE OF BUSINESS IN~~
 22 ~~BALTIMORE COUNTY.~~

23 17-1808.

24 (a) (1) Except as otherwise provided in this section, an applicant for a
 25 trader's license shall pay to the clerk a license fee based on the value of the applicant's
 26 stock-in-trade.

27 (2) In a county other than Baltimore City OR BALTIMORE COUNTY,
 28 the license fee is:

29 (i) \$15, if the value of the applicant's stock-in-trade is not
 30 more than \$1,000;

31 (ii) \$18, if the value is more than \$1,000 but not more than
 32 \$1,500;

- 1 (iii) \$20, if the value is more than \$1,500 but not more than
2 \$2,500;
- 3 (iv) \$25, if the value is more than \$2,500 but not more than
4 \$4,000;
- 5 (v) \$30, if the value is more than \$4,000 but not more than
6 \$6,000;
- 7 (vi) \$40, if the value is more than \$6,000 but not more than
8 \$8,000;
- 9 (vii) \$50, if the value is more than \$8,000 but not more than
10 \$10,000;
- 11 (viii) \$65, if the value is more than \$10,000 but not more than
12 \$15,000;
- 13 (ix) \$80, if the value is more than \$15,000 but not more than
14 \$20,000;
- 15 (x) \$100, if the value is more than \$20,000 but not more than
16 \$30,000;
- 17 (xi) \$125, if the value is more than \$30,000 but not more than
18 \$40,000;
- 19 (xii) \$150, if the value is more than \$40,000 but not more than
20 \$50,000;
- 21 (xiii) \$200, if the value is more than \$50,000 but not more than
22 \$75,000;
- 23 (xiv) \$250, if the value is more than \$75,000 but not more than
24 \$100,000;
- 25 (xv) \$300, if the value is more than \$100,000 but not more than
26 \$150,000;
- 27 (xvi) \$350, if the value is more than \$150,000 but not more than
28 \$200,000;
- 29 (xvii) \$400, if the value is more than \$200,000 but not more than
30 \$300,000;

1 (xviii) \$500, if the value is more than \$300,000 but not more than
2 \$400,000;

3 (xix) \$600, if the value is more than \$400,000 but not more than
4 \$500,000;

5 (xx) \$750, if the value is more than \$500,000 but not more than
6 \$750,000; or

7 (xxi) \$800, if the value is more than \$750,000.

8 (3) In Baltimore City, the license fee is:

9 (i) \$20, if the value of the applicant's stock-in-trade is not
10 more than \$1,000;

11 (ii) \$40, if the value is more than \$1,000 but not more than
12 \$5,000;

13 (iii) \$80, if the value is more than \$5,000 but not more than
14 \$10,000;

15 (iv) \$160, if the value is more than \$10,000 but not more than
16 \$50,000;

17 (v) \$375, if the value is more than \$50,000 but not more than
18 \$100,000;

19 (vi) \$1,000, if the value is more than \$100,000 but not more than
20 \$300,000;

21 (vii) \$1,500, if the value is more than \$300,000 but not more than
22 \$750,000; or

23 (viii) \$2,125, if the value is more than \$750,000.

24 (4) IN BALTIMORE COUNTY, THE LICENSE FEE IS ~~THE AMOUNT~~
25 ~~ESTABLISHED BY THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL OF~~
26 ~~BALTIMORE COUNTY:~~

27 (I) \$20, IF THE VALUE OF THE APPLICANT'S
28 STOCK-IN-TRADE IS NOT MORE THAN \$1,000;

29 (II) \$40, IF THE VALUE IS MORE THAN \$1,000 BUT NOT
30 MORE THAN \$5,000;

1 **(III) \$80, IF THE VALUE IS MORE THAN \$5,000 BUT NOT**
2 **MORE THAN \$10,000;**

3 **(IV) \$160, IF THE VALUE IS MORE THAN \$10,000 BUT NOT**
4 **MORE THAN \$50,000;**

5 **(V) \$375, IF THE VALUE IS MORE THAN \$50,000 BUT NOT**
6 **MORE THAN \$100,000;**

7 **(VI) \$450, IF THE VALUE IS MORE THAN \$100,000 BUT NOT**
8 **MORE THAN \$200,000;**

9 **(VII) \$500, IF THE VALUE IS MORE THAN \$200,000 BUT NOT**
10 **MORE THAN \$300,000;**

11 **(VIII) \$775, IF THE VALUE IS MORE THAN \$300,000 BUT NOT**
12 **MORE THAN \$400,000;**

13 **(IX) \$1,000, IF THE VALUE IS MORE THAN \$400,000 BUT NOT**
14 **MORE THAN \$500,000;**

15 **(X) \$1,250, IF THE VALUE IS MORE THAN \$500,000 BUT NOT**
16 **MORE THAN \$750,000; AND**

17 **(XI) \$1,600, IF THE VALUE IS MORE THAN \$750,000.**

18 17–1809.

19 (b) (1) An applicant for a chain store license shall pay to the clerk a
20 license fee based on the value of the applicant's stock-in-trade under § 17–1808 of this
21 subtitle and an additional license fee.

22 (2) In a county other than Baltimore City, **BALTIMORE COUNTY**, or
23 Cecil County, the additional license fee is:

24 (i) \$5 for each store for 2 to 5 stores;

25 (ii) \$20 for each store for 6 to 10 stores;

26 (iii) \$100 for each store for 11 to 20 stores; or

27 (iv) \$150 for each store for more than 20 stores.

28 (3) In Baltimore City OR BALTIMORE COUNTY, the additional
29 license fee is:

- 1 (i) \$12 for each store for 2 to 5 stores;
- 2 (ii) \$50 for each store for 6 to 10 stores;
- 3 (iii) \$250 for each store for 11 to 20 stores; or
- 4 (iv) \$375 for each store for more than 20 stores.
- 5 (4) In Cecil County, the additional license fee is:
- 6 (i) \$10 for each store for 2 to 5 stores;
- 7 (ii) \$30 for each store for 6 to 10 stores;
- 8 (iii) \$100 for each store for 11 to 20 stores; and
- 9 (iv) \$300 for each store for more than 20 stores.

10 ~~(5) IN BALTIMORE COUNTY, THE ADDITIONAL LICENSE FEE IS~~
 11 ~~THE AMOUNT ESTABLISHED BY THE COUNTY EXECUTIVE AND COUNTY~~
 12 ~~COUNCIL OF BALTIMORE COUNTY.~~

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 14 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.