

SENATE BILL 491
EMERGENCY BILL

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A2

1999 Regular Session
9lr2248

By: **Senator Della**

Introduced and read first time: February 5, 1999

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Board of License Commissioners - Adult Entertainment**
3 **Businesses**

4 FOR the purpose of requiring the Baltimore City Board of License Commissioners to
5 enforce the laws and regulations of Baltimore City that govern adult
6 entertainment business licenses; repealing the authority of the Mayor and the
7 City Council to authorize the Board to regulate adult entertainment business
8 licenses; granting exclusive jurisdiction to the Board to regulate the use of
9 property for an adult entertainment business establishment; authorizing the
10 Board to provide a civil penalty for a zoning violation by an adult entertainment
11 business establishment; making this Act an emergency measure; and generally
12 relating to adult entertainment business establishments in Baltimore City.

13 BY repealing and reenacting, with amendments,
14 Article 2B - Alcoholic Beverages
15 Section 12-203.1
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 1998 Supplement)

18 BY adding to
19 Article 66B - Zoning and Planning
20 Section 2.13
21 Annotated Code of Maryland
22 (1998 Replacement Volume)

23 BY repealing and reenacting, with amendments,
24 Article 66B - Zoning and Planning
25 Section 7.01(c)(2)
26 Annotated Code of Maryland
27 (1998 Replacement Volume)

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

1

Article 2B - Alcoholic Beverages

2 12-203.1.

3 [The Mayor and City Council of Baltimore City may authorize the] THE
4 BALTIMORE CITY Board of License Commissioners [to] SHALL enforce the laws and
5 regulations of Baltimore City that govern adult entertainment business licenses.

6

Article 66B - Zoning and Planning

7 2.13.

8 NOTWITHSTANDING ANY OTHER PROVISION IN THIS ARTICLE, IN BALTIMORE
9 CITY THE BOARD OF LICENSE COMMISSIONERS HAS EXCLUSIVE JURISDICTION TO
10 REGULATE THE USE OF PROPERTY FOR AN ADULT ENTERTAINMENT BUSINESS
11 ESTABLISHMENT.

12 7.01.

13 (c) (2) (I) The local legislative body may provide a civil penalty for a
14 zoning violation, which shall be enforced as provided in this subsection.

15 (II) THE BALTIMORE CITY BOARD OF LICENSE COMMISSIONERS
16 MAY PROVIDE A CIVIL PENALTY FOR A ZONING VIOLATION UNDER § 2.13 OF THIS
17 ARTICLE, WHICH SHALL BE ENFORCED AS PROVIDED IN THIS SUBSECTION.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an
19 emergency measure, is necessary for the immediate preservation of the public health
20 and safety, has been passed by a ye and nay vote supported by three-fifths of all the
21 members elected to each of the two Houses of the General Assembly, and shall take
22 effect from the date it is enacted.