

## Prince George's County Council

### Agenda Item Summary

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**Meeting Date:** 7/18/2006  
**Reference No.:** CB-061-2006  
**Draft No.:** 2  
**Proposer(s):** Hendershot, Exum  
**Sponsor(s):** Hendershot, Exum, Bland, Peters, Dean, Knotts, Dernoga  
**Item Title:** An Act regulating the adult entertainment premises, entertainers, and managers by establishing license requirements and penalties for violators and amending the provisions of the Code to clarify the use of the terms "public place" and "place open to the public."

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**Drafter:** Ralph E. Grutzmacher, Legislative Officer  
**Resource Personnel:** Carol B. White, Legislative Aide  
Kendal C. Gray, Legislative Aide

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#### LEGISLATIVE HISTORY:

<b>Date Presented:</b>		<b>Executive Action:</b>	7/31/2006 S
<b>Committee Referral:</b>	6/20/2006 - C.O.W.	<b>Effective Date:</b>	9/15/2006

#### Committee Action:

**Date Introduced:** 6/20/2006  
**Public Hearing:** 7/18/2006 - 11:30 AM

**Council Action (1)** 7/18/2006 - ENACTED  
**Council Votes:** MB:A, WC:A, SHD:A, TD:A, CE:A, DCH:A, TH:A, TK:-, DP:A  
**Pass/Fail:** P  
**Remarks:**

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#### AFFECTED CODE SECTIONS:

01-102, 05-2600, 05-2601, 05-2602, 05-2603, 05-2604, 05-2605, 05-2606, 05-2607, 05-2608, 05-2609, 05-2610, 05-2611, 05-2612, 05-2613, 05-2614, 05-2615, 05-2616, 14-139.02

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#### COMMITTEE REPORTS:

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#### BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The proposed legislation is intended to provide for reasonable time, place, and manner regulation of live adult entertainment performances. The Council evaluated the secondary adverse impacts of live adult entertainment business through a study commissioned by the Council, public testimony, and other information, studies and court decisions from other jurisdictions. This proposed legislation is not intended to interfere with legitimate expression of a Constitutionally-protected activity, but to avoid and mitigate the adverse secondary effects identified in the County and in other jurisdictions.

The proposed legislation provides for the licensing of persons who operate and manage adult oriented businesses and persons who provide adult-oriented entertainment to ensure that minors or persons who have engaged in criminal behavior will not contribute to the adverse secondary impacts in the County and to enable the County to allocate law enforcement resources effectively and otherwise protect the community. The fees established for licenses and permits are based on the estimated cost of implementation, administration and enforcement of the licensing program.

The proposed legislation regulates proximity and prohibits physical contact between adult entertainment performers and patrons, provides for a limited period of closing each night, and requires a security plan to reduce disruption of the adjoining commercial and residential communities.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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