

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2004 Legislative Session

Resolution No. CR-12-2004
 Proposed and Presented by The Chairman (by request – County Executive) and
 Council Members Knotts, Dernoga, Shapiro and Dean
 Introduced by Council Members Knotts, Dernoga, Shapiro and Dean
 Co-Sponsors _____
 Date of Introduction February 24, 2004

RESOLUTION

1 A RESOLUTION concerning

2 Repeal of Chapter 81, 2003 Laws of Prince George's County, Maryland
 3 For the purpose of repealing the enactment of Chapter 81, 2003 Laws of Prince George's
 4 County, Maryland.

5 WHEREAS, the County Council enacted CB-86-2003 pertaining primarily to Adult
 6 Entertainment Clubs on November 25, 2003, and the County Executive signed this Act into law
 7 on December 12, 2003, as Chapter 81, 2003 Laws of Prince George's County, Maryland; and

8 WHEREAS, Chapter 81 is a business licensing measure to provide for the registration and
 9 licensing of certain defined adult entertainment businesses and persons engaged as managers or
 10 as performers at such adult entertainment businesses; and

11 WHEREAS, various plaintiffs have challenged the enactment of Chapter 81 in a lawsuit
 12 styled Wet Sands, Inc., et al. vs. Prince George's County, Maryland, Civil Action No. RWT
 13 04CV147 filed on January 20, 2004, in the United States District Court for the District of
 14 Maryland; and

15 WHEREAS, the County has agreed with the plaintiffs and the court that the County will not
 16 seek to enforce Chapter 81 against any adult entertainment club until the conclusion of the trial
 17 of the case; and

18 WHEREAS, the repeal of Chapter 81 is necessary to resolve the current litigation and to
 19 permit the early consideration and enactment of an enhanced version of the Adult Entertainment
 20 Club regulations; and

21 WHEREAS, the trial in the pending lawsuit concerning Chapter 81 is set to begin on April
 22 27, 2004, after an enhanced version of the Adult Entertainment Club regulations may be

1 considered and enacted; and

2 WHEREAS, the public safety interest of the citizens and residents of the County is best
3 served by expedient enactment and enforcement of the Adult Entertainment Club regulations;
4 and

5 WHEREAS, Section 1017(c) of the Charter for Prince George's County provides that a
6 resolution adopted by the Council shall have the force and effect of law but of a temporary or
7 administrative character; and

8 WHEREAS, the repeal of Chapter 81 by legislative act pursuant to the procedural
9 requirements of Articles III and IV of the Charter cannot be completed in a timely manner; and

10 WHEREAS, the repeal of Chapter 81 will reinstate the state of the law regarding the
11 regulation of Adult Entertainment Clubs to that immediately prior to the enactment of Chapter
12 81.

13 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
14 County, Maryland, that Chapter 81 of the 2003 Laws of Prince George's County, Maryland, as
15 enacted into law by CB-86-2003, is hereby repealed in its entirety, effective on the date of
16 adoption of this Resolution.

Adopted this 24th day of February, 2004.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Tony Knotts
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council