

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 7/19/2011  
**Reference No.:** CB-018-2011  
**Draft No.:** 3  
**Proposer(s):** Toles  
**Sponsor(s):** Toles, Franklin, Patterson, Turner, Johnson, Lehman, Campos, Olson  
**Item Title:** An Emergency Act of amending County regulations concerning dance hall premises, owners, lessors, operators, managers, promoters and patrons, establishing license requirements, setting penalties for violators, declaring specific legislative intent to establish reasonable and uniform laws to reduce the number of violent crimes that occur as a result of events at dance halls and to promote the health, safety, and welfare of the citizens and residents of Prince George's County and declaring that a public emergency exists affecting the public health, safety, and welfare.

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**Drafter:** Kathleen H. Canning, Legislative Officer  
**Resource Personnel:** Dwayne B. Mingo, District 7

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	5/17/2011	<b>Executive Action:</b>	7/21/2011 S
<b>Committee Referral:</b>	5/17/2011 - PSFM	<b>Effective Date:</b>	7/21/2011
<b>Committee Action:</b>	6/15/2011 - FAV(A)		
<b>Date Introduced:</b>	6/21/2011		
<b>Public Hearing:</b>	7/19/2011 - 10:00 AM		
<b>Council Action (1)</b>	7/19/2011 - ENACTED		
<b>Council Votes:</b>	WC:-, MRF:A, AH:-, LJ:A, ML:A, EO:A, OP:A, IT:A, KT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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### AFFECTED CODE SECTIONS:

05-196.01, 05-197, 05-198, 05-199, 05-200, 05-200.01, 05-200.02, 05-200.03, 05-200.04

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### COMMITTEE REPORTS:

**Public Safety and Fiscal Management**

**Date 6/15/2011**

REPORT: Committee Vote: Favorable as Amended: 4-0, (In favor: Council Members Campos, Franklin, Patterson, and Toles)

This bill broadens the scope of adult dance halls and teen dance halls violation and increases the penalties while making a clear destination between the licensing and operation of both dance halls. Adult dance halls are open for individuals 21 years of age and older and permit alcohol to be served. Teen dance halls are open for individuals between ages 18-21 and no alcohol is permitted. It also requires background investigations, provide for the issuance of written violation notices, expedited administrative hearings and determination within three to seven days after the written notice is issued. Also, this legislation will give the County the authority to take immediate and necessary action including but not limited to entering the establishment, securing, and removing the occupants and padlocking the building or structure where the activity is found to pose a threat to the health, safety, and welfare of the public.

During the PSFM Committee worksession the legislation was amended by adding the following provisions:

1. On page 3, lines 17-19, increase the licensing applications fee from \$300 to \$1,000 per year.
2. On page 3, lines 29-30, provides that an adult dance hall license or a teen dance hall license cannot be transferred or assigned.
3. On page 4, lines 1-6, requires the licensee to provide bodily injury liability insurance, property damage liability insurance, or the equivalent self-insurance.
4. On page 5, lines 12-13, security surveillance cameras are required as part of the security plan.
5. On page 10, lines 27-30, provides for criminal penalties of fines up to \$1,000 or up to six months imprisonment or both.

The Acting Chief of Police Mark Magaw and Assistant State's Attorney C. T. Wilson expressed their support for this legislation. They stated that this bill will ensure the safety of County residents without discouraging businesses from operating in the County and will greatly enhance the ability of the police to protect the citizens from violent crimes.

According to data received by the Office of Audits and Investigations from the Department of Environmental Resources there are currently five premises licensed and 79 licenses that expired over the past years. There could be additional cost incurred for background checks on applicants, reviews of the security plans, inspections and enforcement of the regulation. These additional costs cannot be determined at this time.

The enactment of CB-18-2011 should have a positive fiscal impact on the County, however; if the additional cost occurs it would reduce the revenues.

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#### **BACKGROUND INFORMATION/FISCAL IMPACT:**

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

The purpose and intent of this legislation is to establish reasonable and uniform laws to regulate adult dance halls and teen dance halls and to reduce the number of violent crimes that occur as a result of events occurring at adult dance halls and teen dance halls or in close proximity to adult dance halls or teen dance halls throughout the County. The purpose and intent of this legislation is also to promote the health, safety, and welfare of the citizens and residents of the County and to prevent or control detrimental effects upon neighboring properties and existing and proposed land uses in the general area. The provisions of the Prince George's County Code have neither the purpose nor effect of imposing a limitation or restriction on legal conduct.

6/21/2011: CB-18-2011 (DR-2) was amended on the floor prior to introduction; (DR-3) was introduced.

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#### **CODE INDEX TOPICS:**

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#### **INCLUSION FILES:**

