

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 10/28/98

Reference No.: CB-103-1998

Proposer: Estep

Draft No.: 2

Sponsors: Estep

Item Title: An Act amending the provisions of Chapter 29, Laws of Prince George's County, Maryland 1998 concerning the approval of the Prince George's County portion of the M-NCPPC budget to restrict the hours of operations of certain recreational facilities and activities funded in the adopted budget

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Personnel:

LEGISLATIVE HISTORY:

Date Presented: 9/22/98

Executive Action: __/__/__ US

Committee Referral: 9/22/98 PZED

Effective Date: 1/5/99

Committee Action: 9/30/98 FAV(A)

Date Introduced: 10/6/98

Pub. Hearing Date: 10/28/98 1:30 P.M.

Council Action: 10/28/98 ENACTED

Council Votes: RVR:A, DB:A, SD:A, JE:A, IG:-, TH:A, WM:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 9/30/98

Committee Vote: Favorable with amendments, 3-1 (In favor: Council Members Bailey, Del Giudice and Maloney. Opposed: Council Member Gourdine).

Staff gave an overview of the legislation and informed the Committee of referral comments received concerning this bill. The Office of Law determined that the bill is in proper legislative form and suggested a technical amendment as follows: on page 1, line 13, after the word "Maryland", insert

"1998." The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting this legislation.

Council Member Estepp, the bill's sponsor, explained to the Committee that he proposed CB-103-1998 due to his concerns that there are no restrictions on the hours of operation of the Prince George's Equestrian Center and the Showplace Arena. He indicated that without some restriction, events at this facility can continue after midnight and pose a disturbance to the neighborhood. Mr. Estepp explained that this legislation is an attempt to bring some restraint on the impact to the community.

Robert Williams, Office of the County Executive, indicated to the Committee that the Executive Branch was opposed to the legislation as presented due to the concern that the restriction in the hours of operation may limit the facility's ability to generate revenue. Mr. Williams commented that the Executive Branch was in favor of an amendment to the legislation being proposed by M-NCPPC.

Joe O'Neill, M-NCPPC, proposed the following amendment: on page 1, line 27, after "12:00 a.m.", insert "unless additional hours for a particular event have been approved by the Director of Parks and Recreation." Mr. O'Neill explained that this amendment provides some flexibility to the restriction at the Director's discretion.

Helen Ford, President of the Town Commissioners, Town of Upper Marlboro, spoke in support of the legislation.

The Committee voted a favorable recommendation on Draft-2 with the amendment proposed by M-NCPPC as well as the technical amendment in the purpose clause of the bill recommended by the Office of Law.

BACKGROUND INFORMATION/FISCAL IMPACT
(Includes reason for proposal, as well as any unique statutory requirements)

CODE INDEX TOPICS: