

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

**Meeting Date:** 11/18/97

**Reference No.:** CB-88-1997

**Proposer:** Maloney

**Draft No.:** 2

**Sponsors:** Maloney

**Item Title:** An Ordinance to amend the definition of Adult Book Store to provide for consistency in all sections of the Zoning Ordinance, and amending the enforcement provisions to permit the Police Department to take appropriate action against violators of the Adult Book Store regulations

**Drafter:** Maurene Epps Webb  
Office of Law

**Resource Personnel:** Maurene Epps Webb  
Office of Law

**LEGISLATIVE HISTORY:**

**Date Presented:** 7/29/97

**Executive Action:** \_\_/\_\_/\_\_ \_\_

**Committee Referral:**(1) 7/29/97 PZED

**Effective Date:** 1/5/98

**Committee Action:**(1) 9/24/97 FAV (A)

**Date Introduced:** 10/7/97

**Pub. Hearing Date:** (1) 11/18/97 1:30 PM

**Council Action:** (1) 11/18/97 ENACTED

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

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

DATE: 9/24/97

Committee Vote: Favorable as amended, 3-0 (In favor: Council Members Del Giudice, Maloney and Wilson).

Council Member Maloney, the bill's sponsor, gave an overview of the legislation. Mr. Maloney indicated that this bill is a means of enhancing enforcement of the Adult Book Store regulations rather than setting new policy.

Adele Connelly, of the Department of Environmental Resources, informed the Committee that the language defining Adult Book Store will also apply to video stores since ten percent of the stock in those stores may be adult material. Council Member Del Giudice indicated that the uncodified provision (Section 2.) of the bill provides a grace period for video stores to reduce their volume of adult material stock.

Len Lucchi, representing the County Executive's Office, spoke in support of the bill and recommended an amendment to the legislation which would provide discretion to the police. Specifically, Mr. Lucchi suggested that on line 3, page 4, the word "may" should replace the word "shall." The Committee agreed with this amendment.

The Planning Board supports this legislation and proposed some technical amendments to the bill. The Committee agreed with the following amendments: on line 28, page 3, after the word "land," insert the following language: "for an Adult Book Store" and on line 7, page 4, after the word "period," insert the word "of."

The Office of Law and the Legislative Officer find the bill to be in proper legislative form, however, it was recommended that the purpose clause be expanded to include the new provisions added to Section 27-264 pertaining to enforcement.

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

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

This legislation amends the definition of Adult Book Store and deletes conflicting language in the zoning Ordinance. The bill also permits the Police Department to cite individuals operating such uses in violation of the Zoning Ordinance.

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