



ANNE ARUNDEL COUNTY OFFICE OF LAW

Legislative Summary

To: Members, Anne Arundel County Council

From: Ethan B. Hunt, Assistant County Attorney /s/

Via: Lori Blair Klasmeier, Deputy County Attorney /s/

Via: Gregory J. Swain, County Attorney /s/

Date: February 21, 2023

Subject: Bill No. 13-23 – Licenses and Registrations – Special Events – Permitting

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 13-23.

Purpose

The purpose of Bill No. 13-23 is to establish a permitting process for special events to ensure that sponsors of special events work with Anne Arundel County to ensure the health and welfare of the general public and participants in special events, and that the resources and services are sufficient to support the special event.

Background

Anne Arundel County does not currently have a permitting process to ensure that special events held in the County have sufficient support and resources to ensure the health and safety of special event participants. Other large counties and Baltimore City currently have processes in place to coordinate planning and support for special events. This Bill establishes a permitting process to provide the circumstances in which a permit for a special event is required and the obligations of the sponsors and the County.

Bill No. 13-23

SECTION 1.

This section repeals §11-11-101 of the County Code.

Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

SECTION 2.

This section adds new language to the County Code under Article 11 – Licenses and Registrations as Title 11 – Special Events.

Section 11-11-101 defines certain terms, including “Special Event” and “Sponsor.”

“Special Event” is defined as “an activity, athletic event, concert, parade, or public assembly that does not have regularity or permanence throughout the year, and is held on a designated day or series of days, whether or not admission is charged, for which: (1) specific and exclusive use of public streets, alleys, rights-of-way, county waters, or other public property is required; or (2) the safe and normal movement of vehicular and pedestrian traffic along roadways may be affected or require temporary alterations to established traffic regulations or controls.; or (3) use of county services exceeding normal operations, including personnel, is required.” The definition also specifies that events held in structures specifically designed for the assembly of individuals that does not exceed the established legal occupancy, and funeral processions, do not meet the definition of a special event.

“Sponsor” is defined as “the manager, operator, producer, promoter, or individual or entity staging a special event.”

Section 11-11-102 requires a person organizing a special event to obtain a permit and prohibits a venue owner from allowing a special event to occur at the venue if they know or may reasonably be expected to know that the sponsor has not been granted a permit.

Section 11-11-103 requires a permit be applied for at least 60 days and no more than 1 year prior to the special event, establishes the permit application requirements and contents, and permits the County to alter or waive the application deadline in certain circumstances.

Subsection 11-11-104(a) requires that the County respond to a permit applicant within 30 days of receipt of the application by granting, denying, or requesting a modification of the application, and either grant or deny the permit at least 14 days before the special event. **Subsection (b)** requires that the County issue a permit, except in certain enumerated circumstances. **Subsection (c)** authorizes the County to deny, modify, or cancel a permit to protect the health, safety, and general welfare of the public or special event participants, or when the sponsor has failed to comply with applicable County, State, or federal laws or regulations, or because the sponsor does not have the legal authority or permission of the owner to use the property upon which the special event is located. **Subsection (d)** provides that the County shall determine the adequate level of staffing for the special event based on best practices and generally accepted public safety standards. **Subsection (e)** provides that only one application is required for multiple-day events. Finally, **subsection (f)** provides that a permit is void if the special event is cancelled, and that if a portion of a multiple-day event is cancelled then the permit is void only for the cancelled portion.

Section 11-11-105(a) establishes a permit application fee of \$50, or \$100 if the application is filed less than 60 days prior to the special event and the deadline has been waived, and specifies

that the application fee is nonrefundable, due at the time of the permit application, and due once for an event held on multiple days. **Subsection (b)** also grants the County the authority to exempt the application fee.

Section 11-11-106(a) requires a sponsor to reimburse the County for all costs incurred by the County for equipment and personnel in supporting the special event. **Subsection (b)** requires the County to provide an estimate of costs the County would incur, based on a publicly available standardized rate schedule for personnel and equipment, to the sponsor prior to issuing a permit. **Subsections (c) and (d)** establishes that a portion of the service charge that must be paid prior to the issuance of a permit, that any remaining balance due for costs the County incurs be paid within 30 days of the conclusion of the special event, and that the County refund any service charges paid in excess of the costs incurred to the sponsor within 30 days of the conclusion of the special event. **Subsection (e)** provides that the County may waive payment of a portion or all of the special service charge.

Section 11-11-107(a) requires a sponsor to obtain any other licenses, permits, and inspections necessary for the special event, including inspections for compliance with fire, electrical, and environmental health regulations, the Alcoholic Beverages Article of the State Code and Article 9 of the County Code. **Subsection (b)** requires a sponsor to afford County personnel access to the venue both prior to and during the special event to perform any inspections required by law or regulation.

Section 11-11-108 specifies the circumstances in which the County may revoke a permit and terminate a special event, and that any costs the County incurs in revoking a permit and terminating a special event shall be a part of the special service charge if the revocation and termination is due to misrepresentation or mismanagement on the part of the sponsor.

SECTION 3.

This section provides that the bill takes effect 45 days after it becomes law.

The Office of Law is available to answer any additional questions regarding this Bill.
Thank you.

cc: Honorable Steuart Pittman, County Executive
Christine Anderson, Chief Administrative Officer
Jeff Amoros, Chief of Staff
Peter Baron, Chief Strategy Officer
Chris Trumbauer, Budget Officer
Preeti Emrick, Director of the Anne Arundel County Office of Emergency Management