

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 2

### Bill No. 12-2018

Introduced by: The Chairperson at the request of the County Executive

AN ACT establishing a Special Event and Concert Permit; defining certain terms; requiring a permit for certain types of special events and concerts; providing for certain permit exemptions; requiring certain applications; requiring that certain information be provided in support of an application; requiring that applications be submitted by a certain time; providing certain criteria in the review of a permit application; requiring certain application fees; authorizing certain permit fees; requiring certain duties of permit holders; authorizing certain inspections; providing for certain penalties; repealing certain obsolete provisions, and generally relating to the Special Event and Concert Permit.

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Introduced and read first time \_\_\_\_\_, 2018. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2018.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

This Bill was read the third time on \_\_\_\_\_, 2018 and Passed \_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2018

\_\_\_\_\_  
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland that the Howard  
2 County Code is amended as follows:

3

4 1. By repealing:  
5 Title 14, Subtitle 3 “Parades” in its entirety.

6

7 2. By repealing:  
8 Title 14, Subtitle 5 “Concert Permit” in its entirety.

9

10 3. By adding:  
11 Subtitle 9 “Special Event and Concert Permit” to  
12 Title 17 “Public Protection Services”.

13

14 4. By amending:  
15 Title 19 “Recreation and Parks”  
16 Paragraph (11) of Subsection (c) of Section 19.205 “Permits”.

17

18 **TITLE 17. PUBLIC PROTECTION SERVICES.**

19 **SUBTITLE 9. SPECIAL EVENT AND CONCERT PERMIT.**

20

21 **SECTION 17.900. DEFINITIONS.**

22 THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:

23 (A) *ATHLETIC EVENT* MEANS ANY EVENT INVOLVING THE CONDUCT OF EXERCISES, SPORTS, GAMES,  
24 MARATHONS, OR SIMILAR TYPES OF ACTIVITIES INCLUDING, WITHOUT LIMITATION, A BICYCLE  
25 RACE, BICYCLE OR MOTORCYCLE RIDE, FOOT RACE, TRIATHLON, OR WALK.

26 (B) *BLOCK PARTY* MEANS A PARTY THAT IS HELD OUTDOORS FOR PEOPLE WHO LIVE IN A  
27 NEIGHBORHOOD.

28 (C) *CONCERT* MEANS A GATHERING OF PEOPLE TO VIEW A LIVE PERFORMANCE.

29 (D) *DEPARTMENT* MEANS THE DEPARTMENT OF POLICE.

30 (E) *MULTIPLE-DAY EVENT* MEANS AN EVENT THAT OCCURS ON MULTIPLE, CONSECUTIVE DAYS.

1 ~~(E)~~ (F) *NONPROFIT ORGANIZATION* MEANS A CORPORATION, FOUNDATION, OR OTHER LEGAL ENTITY,  
2 NO PART OF THE NET EARNINGS OF WHICH INURES TO THE BENEFIT OF ANY PRIVATE SHAREHOLDER  
3 OR INDIVIDUAL HOLDING ANY INTEREST IN THE ENTITY.

4 ~~(F)~~ (G) *OWNER* MEANS ANY PERSON IN WHOM IS VESTED THE OWNERSHIP, DOMINION OR CONTROL,  
5 OR TITLE OF REAL PROPERTY; WHETHER BY FEE SIMPLE DEED, LEASE, SUBLEASE OR BY ANY FORM  
6 OF DEED, RIGHT, OR AGREEMENT.

7 ~~(G)~~ (H) *PARADE* MEANS ANY MARCH, PROCESSION, OR OTHER SIMILAR ACTIVITY CONSISTING OF  
8 PERSONS, ANIMALS, VEHICLES, OR THINGS, OR ANY COMBINATION THEREOF, UPON ANY PUBLIC  
9 STREET, ~~SIDEWALK, ALLEY, OR OTHER PUBLIC PLACE.~~

10 ~~(H)~~ (I) *PERSON* MEANS ANY REAL PROPERTY OWNER, INDIVIDUAL, BUSINESS ENTITY, ASSOCIATION,  
11 GROUP, PROMOTER, GOVERNMENT, OR ORGANIZATION.

12 ~~(I)~~ (J) *PERMIT* MEANS THE SPECIAL EVENT AND CONCERT PERMIT ISSUED UNDER THIS SUBTITLE.

13 ~~(J)~~ (K) *PROMOTER* MEANS THE MANAGER, ORGANIZER, OPERATOR, PRODUCER, SPONSOR, OR THE  
14 INDIVIDUAL OR ENTITY STAGING ~~THE EVENT~~ THE SPECIAL EVENT OR CONCERT.

15 ~~(K)~~ (L) *PUBLIC ASSEMBLY* MEANS A GROUP OF PERSONS COLLECTED TOGETHER IN ONE PLACE FOR  
16 THE SAME PURPOSE INCLUDING, WITHOUT LIMITATION A STREET FESTIVAL OR SIMILAR ACTIVITY OR  
17 EXPRESSIVE ACTIVITY.

18 ~~(L)~~ (M). *SPECIAL EVENT* MEANS AN ATHLETIC EVENT, BLOCK PARTY, PARADE, OR PUBLIC ASSEMBLY.

19

20 **SECTION 17.901. APPLICABILITY; REQUIREMENT TO OBTAIN PERMIT.**

21 ~~(A) APPLICABILITY. THIS SUBTITLE SHALL NOT APPLY TO A PUBLIC ASSEMBLY THAT IS A~~  
22 ~~SPONTANEOUS RESPONSE TO A CURRENT EVENT AND WHICH HAS FEWER THAN 50 PARTICIPANTS.~~

23 ~~(B) (A) SPECIAL EVENTS. UNLESS A PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE A~~  
24 ~~PERSON SHALL NOT CAUSE A SPECIAL EVENT TO OCCUR~~ OBTAIN A PERMIT UNDER THIS SUBTITLE  
25 FOR A SPECIAL EVENT IF THE SPECIAL EVENT:

- 26 (1) REQUIRES THE CLOSURE OF A STREET, HIGHWAY, ~~SIDEWALK,~~ OR ROAD; OR  
27 (2) REQUIRES AUTHORIZED COUNTY EMPLOYEES TO STOP OR REROUTE VEHICULAR OR  
28 PEDESTRIAN TRAFFIC BECAUSE THE SPECIAL EVENT WILL NOT OR CANNOT COMPLY  
29 WITH NORMAL AND USUAL TRAFFIC REGULATIONS OR CONTROLS.

30 ~~(C) (B) CONCERTS. UNLESS A PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE A~~ PERSON  
31 ~~SHALL NOT ALLOW OR CAUSE~~ OBTAIN A PERMIT UNDER THIS SUBTITLE FOR A CONCERT TO BE

1 PERFORMED ON PUBLIC OR PRIVATE PROPERTY BEFORE A GATHERING IN EXCESS OR ANTICIPATED  
2 TO BE IN EXCESS OF 2,000 PERSONS.

3 (C) PARK PROPERTY. SPECIAL EVENTS AND CONCERTS THAT OCCUR ON PARK PROPERTY SHALL BE  
4 SUBJECT TO TITLE 19 OF THIS CODE.

5  
6 **SECTION 17.902. APPLICATION REQUIREMENTS.**

7 (A) *MULTIPLE-DAY EVENT.* AN APPLICANT SHALL FILE A SEPARATE APPLICATION FOR EACH DAY  
8 OF A MULTIPLE-DAY EVENT ~~THAT OCCURS ON CONSECUTIVE DAYS.~~

9 (B) *APPLICATIONS - GENERALLY.* AN APPLICATION SHALL:

- 10 (1) BE ON FORMS PROVIDED BY THE DEPARTMENT;
- 11 (2) INCLUDE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE APPLICANT;
- 12 (3) BE ACCOMPANIED BY THE APPLICATION FEE;
- 13 (4) ~~BE EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS SECTION,~~ BE FILED AT LEAST  
14 60 CALENDAR DAYS, BUT NOT MORE THAN ONE YEAR, BEFORE THE SPECIAL EVENT  
15 OR CONCERT;
- 16 (5) SUBJECT TO SUBSECTION (C) AND (D) OF THIS SECTION FOR CONCERTS, BE FILED  
17 FOR EACH SPECIAL EVENT OR CONCERT;
- 18 (6) BE SIGNED THROUGH AN ELECTRONIC PROCESS FOR WHICH THE OATH OR  
19 AFFIRMATION SHALL BE MADE BY AN ELECTRONIC SIGNATURE THAT:
  - 20 (i) IS ATTACHED TO AND MADE PART OF THE APPLICATION;
  - 21 (ii) IS MADE EXPRESSLY UNDER THE PENALTIES OF MAKING A FALSE STATEMENT  
22 TO A LAW ENFORCEMENT OFFICER; AND
  - 23 (iii) SUBJECTS THE INDIVIDUAL MAKING THE SIGNATURE TO THE PENALTIES OF  
24 MAKING A FALSE STATEMENT TO A LAW ENFORCEMENT OFFICER TO THE  
25 SAME EXTENT AS AN OATH OR AFFIRMATION BEFORE AN INDIVIDUAL  
26 AUTHORIZED TO ADMINISTER OATHS;
- 27 (7) IF APPLICABLE, BE FILED BY THE PROMOTER ~~OF A SPECIAL EVENT OR CONCERT;~~
- 28 (8) SHALL INCLUDE THE NUMBER OF SECURITY PERSONNEL TO BE SUPPLIED BY THE  
29 APPLICANT TO CONTROL THE ANTICIPATED NUMBER OF EVENT ATTENDEES; AND
- 30 (9) ANY OTHER INFORMATION AS THE COUNTY MAY REQUIRE IN ITS REVIEW OF THE  
31 APPLICATION.

1 (C) *CONCERT EVENTS – INFORMATION TO BE PROVIDED ANNUALLY.* WITH THE FIRST APPLICATION  
2 FOR A CONCERT IN A CALENDAR YEAR, AN APPLICANT SHALL PROVIDE THE FOLLOWING  
3 INFORMATION:

- 4 (1) THE NAME AND ADDRESS OF THE OWNER OF THE CONCERT FACILITY;
- 5 (2) THE ADDRESS OF THE CONCERT FACILITY;
- 6 (3) THE NUMBER OF PERSONS WHO CAN BE ACCOMMODATED AT THE CONCERT  
7 FACILITY IN ACCORDANCE WITH THE HOWARD COUNTY BUILDING CODE AND THE  
8 HOWARD COUNTY FIRE PREVENTION CODE;
- 9 (4) REGARDING PARKING:
  - 10 (I) THE NUMBER OF PARKING SPACES AVAILABLE AT THE PREMISES;
  - 11 (II) IF OFF-PREMISES PARKING WILL BE RELIED UPON AT ANY POINT DURING THE  
12 CALENDAR YEAR:
    - 13 A. THE TOTAL NUMBER OF PARKING SPACES LOCATED OFF-PREMISES;
    - 14 B. A MAP SHOWING ALL AVAILABLE OFF-PREMISES PARKING;
    - 15 C. A STATEMENT THAT OFF-PREMISES PARKING WILL BE AVAILABLE  
16 FOR USE BY CONCERT SPECTATORS; ~~AND~~
    - 17 D. EVIDENCE OF AGREEMENTS WITH EACH OWNER DOCUMENTED  
18 APPROVAL OR OTHER SIMILAR PROOF WITH EACH OWNER OR  
19 OWNER’S AGENT OF OFF-PREMISES PROPERTY THAT OFF-PREMISES  
20 PARKING IS AVAILABLE TO SERVE THE CONCERT FACILITY; AND
    - 21 E. THE NUMBER OF SPACES AND LOCATION OF ACCESSIBLE PARKING;  
22 AND
- 23 (5) ANY OTHER INFORMATION AS THE COUNTY MAY REQUIRE IN ITS REVIEW OF THE  
24 APPLICATION.

25 (D) *CONCERT EVENTS – INFORMATION TO BE PROVIDED FOR EACH CONCERT.* WITH AN APPLICATION  
26 FOR EACH CONCERT, AN APPLICANT SHALL PROVIDE THE FOLLOWING INFORMATION:

- 27 (1) THE NAME AND ADDRESS OF THE PROMOTER, ~~IF ANY~~;
- 28 (2) THE NUMBER OF PARKING SPACES AVAILABLE AT THE PREMISES;
- 29 (3) IF OFF-PREMISES PARKING IS RELIED UPON:
  - 30 (I) THE NUMBER OF PARKING SPACES TO BE PROVIDED OFF-PREMISES;

1           ~~(II) A MAP SHOWING THE OFF-PREMISES PARKING TO BE USED FOR THAT~~  
2           ~~CONCERT;~~

3           ~~(III) EVIDENCE OF AN AGREEMENT WITH EACH OWNER OF OFF-PREMISES~~  
4           ~~PROPERTY THAT SUCH OFF-PREMISES PARKING IS AVAILABLE FOR THE~~  
5           ~~CONCERT;~~

6           (II) OF THE OFF-PREMISES PARKING LISTED IN ITEM (C)(4)(II)D. OF THIS  
7           SUBSECTION, A LIST OF WHICH OFF-PREMISES PARKING WILL BE USED FOR  
8           THE CONCERT;

9           (III) WHETHER THERE ARE ANY AVAILABLE OFF-PREMISES LOTS THAT ARE NOT  
10           LISTED IN ITEM (C)(4)(II)D. AND FOR SUCH LOTS, DOCUMENTED APPROVAL  
11           OR OTHER SIMILAR PROOF WITH THE OWNER OR OWNER'S AGENT THAT THE  
12           OFF-PREMISES PARKING IS AVAILABLE TO SERVE THE CONCERT; AND

13           (IV) WHETHER SHUTTLE SERVICE WOULD NEED TO BE PROVIDED IN ORDER TO  
14           COMPLY WITH ACCESSIBILITY REQUIREMENTS; AND

15           ~~(V) THE NUMBER OF SPACES AND LOCATION OF ACCESSIBLE PARKING; AND~~

16           (4) ANY OTHER INFORMATION THAT THE COUNTY MAY REQUIRE IN ITS REVIEW OF THE  
17           APPLICATION.

18   (E) *AGREEMENTS REQUIRED BY STATE LAW.* IF A SPECIAL EVENT IS SUBJECT TO SECTION ~~12-1211~~  
19   21-1211 OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND  
20   WRITTEN AUTHORIZATION IS REQUIRED, THE APPLICANT MAY ENTER INTO AN AGREEMENT WITH  
21   THE COUNTY THAT:

22           (1) COMPLIES WITH STATE LAW; AND

23           (2) MAY BE SIGNED THROUGH AN ELECTRONIC PROCESS FOR WHICH THE OATH OR  
24           AFFIRMATION SHALL BE MADE BY AN ELECTRONIC SIGNATURE THAT:

25           (I) IS ATTACHED TO AND MADE PART OF THE AGREEMENT;

26           (II) IS MADE EXPRESSLY UNDER THE PENALTIES OF MAKING A FALSE STATEMENT  
27           TO A LAW ENFORCEMENT OFFICER; AND

28           (III) SUBJECTS THE INDIVIDUAL MAKING THE SIGNATURE TO THE PENALTIES OF  
29           MAKING A FALSE STATEMENT TO A LAW ENFORCEMENT OFFICER TO THE  
30           SAME EXTENT AS AN OATH OR AFFIRMATION BEFORE AN INDIVIDUAL  
31           AUTHORIZED TO ADMINISTER OATHS; AND

1 (3) IS EXECUTED PRIOR TO THE GRANT OF A PERMIT.

2 (F) PRIORITY OF APPLICATIONS FOR SPECIAL EVENTS. APPLICATIONS FOR SPECIAL EVENTS  
3 SHALL BE CONSIDERED ON A FIRST-IN-TIME BASIS DEPENDING ON WHEN THE APPLICATION AND  
4 APPLICATION FEE IS RECEIVED BY THE ~~DEPARTMENT~~ COUNTY. HOWEVER, IF MULTIPLE  
5 APPLICATIONS FOR THE SAME DATE ARE RECEIVED, THE ~~DEPARTMENT~~ COUNTY MAY CONSIDER  
6 AVAILABLE RESOURCES WHEN DETERMINING WHETHER TO HOLD MULTIPLE EVENTS ON A GIVEN  
7 DAY.

8 (G) WAIVER OF TIME REQUIREMENTS. THE COUNTY MAY CONSIDER AN APPLICATION FOR A  
9 SPECIAL EVENT OR CONCERT PERMIT FILED AFTER THE DEADLINE ESTABLISHED BY THIS SUBTITLE  
10 ONLY IF THE COUNTY ANTICIPATES THAT ADEQUATE COUNTY RESOURCES WILL EXIST TO SUPPORT  
11 THE SPECIAL EVENT OR CONCERT AND:

12 (1) THE SPECIAL EVENT OR CONCERT IS IN THE BEST INTEREST OF THE COUNTY; OR

13 (2) THE SPECIAL EVENT OR CONCERT IS A SPONTANEOUS RESPONSE TO A CURRENT  
14 EVENT.

15 **SECTION 17.904. CONSIDERATION OF AN APPLICATION.**

16 (A) *TIMING.* THE COUNTY SHALL GRANT OR DENY THE ~~PERMIT~~ APPLICATION AT LEAST 14 DAYS  
17 BEFORE THE DATE ON WHICH THE EVENT IS PROPOSED TO BE SCHEDULED.

18 (B) *CRITERIA.* THE COUNTY SHALL ~~GRANT THE APPLICATION~~ ISSUE THE PERMIT UNLESS:

19 (1) THE APPLICANT HAS DAMAGED COUNTY PROPERTY AND HAS NOT PAID IN FULL FOR  
20 SUCH DAMAGE, OR HAS OTHER OUTSTANDING AND UNPAID DEBTS TO THE COUNTY;

21 (2) THE APPLICANT HAS MADE MATERIAL MISREPRESENTATIONS REGARDING THE  
22 NATURE OR SCOPE OF ~~AN EVENT OR ACTIVITY~~ A SPECIAL EVENT OR CONCERT FOR  
23 WHICH THE APPLICANT HAD PREVIOUSLY RECEIVED A PERMIT OR HAS VIOLATED  
24 THE TERMS OF PRIOR PERMITS ISSUED TO ~~OR ON BEHALF OF~~ THE APPLICANT;

25 (3) THE APPLICANT WILL BE UNABLE TO SAFELY CONTROL THE ANTICIPATED NUMBER  
26 OF SPECTATORS OR PARTICIPANTS EXPECTED TO ATTEND THE SPECIAL EVENT OR  
27 CONCERT;

28 (4) COUNTY TRAFFIC FACILITIES ARE INADEQUATE TO ACCOMMODATE THE  
29 ANTICIPATED NUMBER OF SPECTATORS OR PARTICIPANTS ENTERING OR LEAVING  
30 THE SPECIAL EVENT OR CONCERT;

- 1 (5) THE APPLICANT FAILS TO DEMONSTRATE ADEQUATE SECURITY OR EMERGENCY  
2 RESPONSE SERVICES;
- 3 (6) THE PREMISES ARE INADEQUATE BASED ON THE HOWARD COUNTY BUILDING CODE  
4 TO SUPPORT THE ANTICIPATED NUMBER OF SPECTATORS OR PARTICIPANTS;
- 5 (7) THERE ARE INADEQUATE TOILET FACILITIES LOCATED AT THE PREMISES, BASED ON  
6 THE HOWARD COUNTY PLUMBING CODE;
- 7 (8) THERE ARE REFRESHMENT FACILITIES THAT DO NOT MEET STANDARDS  
8 ESTABLISHED BY THE HOWARD COUNTY HEALTH DEPARTMENT;
- 9 (9) THERE IS INSUFFICIENT INGRESS OR EGRESS FOR EMERGENCY SITUATIONS BASED ON  
10 THE HOWARD COUNTY BUILDING CODE AND THE HOWARD COUNTY FIRE  
11 PREVENTION CODE;
- 12 ~~(10) THE PROCEDURE FOR LITTER CONTROL IS INADEQUATE;~~
- 13 (10) THE PROCEDURE FOR LITTER CONTROL IS INADEQUATE WHEN CONSIDERING:
- 14 (I) THE NUMBER AND SIZE OF CONTAINERS PROPOSED FOR THE SPECIAL EVENT  
15 OR CONCERT;
- 16 (II) WHETHER THE CONTAINERS ARE PROPOSED TO BE CONVENIENTLY PLACED,  
17 EMPTIED PERIODICALLY WHEN FULL, AND REMOVED FROM THE SITE AT THE  
18 END OF THE SPECIAL EVENT OR CONCERT;
- 19 (III) THE PROCESS FOR LITTER PICKUP FOR TRASH NOT PLACED IN CONTAINERS  
20 WITHIN THE PERIMETER OF THE SPECIAL EVENT OR CONCERT; AND
- 21 (IV) WHETHER THE COLLECTION OF RECYCLABLES IS INADEQUATE BASED ON  
22 SECTION 18.612 OF THE HOWARD COUNTY CODE;
- 23 (11) THE SPECIAL EVENT OR CONCERT WILL REQUIRE COUNTY SERVICES THAT ARE NOT  
24 AVAILABLE;
- 25 (12) THE APPLICANT HAS FAILED TO PROVIDE EVIDENCE OF OTHER REQUIRED PERMITS  
26 INCLUDING, WITHOUT LIMITATION, STATE, FEDERAL, OR LIQUOR BOARD PERMITS;
- 27 (13) THE PERMIT APPLICATION, INCLUDING ANY REQUIRED ATTACHMENTS AND  
28 SUBMISSIONS, IS NOT FULLY COMPLETED AND EXECUTED;
- 29 (14) THE APPLICANT HAS NOT PAID APPLICABLE APPLICATION FEES;
- 30 (15) A FULLY EXECUTED PRIOR APPLICATION AND APPLICATION FEE FOR THE SAME DATE  
31 HAS BEEN RECEIVED BY THE ~~DEPARTMENT~~ COUNTY AND THE ~~DEPARTMENT~~ COUNTY



1 HAS DETERMINED THAT RESOURCES ARE NOT AVAILABLE TO STAFF ALL EVENTS ON THAT  
2 DAY;

3 (16) THE USE OR ACTIVITY INTENDED BY THE APPLICANT IS PROHIBITED BY LAW,  
4 INCLUDING THE HOWARD COUNTY FIRE PREVENTION CODE;

5 (17) ANY APPLICABLE STATE LAW PROVISIONS HAVE NOT BEEN COMPLIED WITH,  
6 INCLUDING, WITHOUT LIMITATION, SECTION ~~12-1211~~ 21-1211 OF THE  
7 TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

8 (18) THE APPLICANT HAS FAILED TO COMPLY WITH PRIOR APPROVED APPLICATIONS; OR

9 (19) THE APPLICANT PROVIDED A FALSEHOOD OR MISREPRESENTATION IN THE  
10 APPLICATION.

11 (C) *AUTHORITY TO DENY, MODIFY OR CANCEL.* THE COUNTY MAY DENY, CANCEL OR MODIFY A  
12 PERMIT AT ANY TIME WHEN THE CANCELLATION, DENIAL, OR MODIFICATION IS REQUIRED:

13 (1) TO PROTECT THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PUBLIC,  
14 SPECTATORS, OR PARTICIPANTS OF A SPECIAL EVENT OR CONCERT; ~~OR~~

15 (2) BECAUSE THE APPLICANT FAILS TO COMPLY WITH ANY COUNTY, STATE, OR  
16 FEDERAL LAWS APPLICABLE TO THE SPECIAL EVENT OR CONCERT FOR WHICH THE  
17 PERMIT IS ~~SOUGHT.~~ SOUGHT; OR

18 (3) NOTWITHSTANDING ANY AGREEMENT RELATING TO THE USE OF PROPERTY  
19 BETWEEN AN APPLICANT AND ANOTHER PARTY, A PERMIT SHALL BE CANCELLED IF  
20 THE APPLICANT DOES NOT HAVE THE AUTHORITY TO USE THE PROPERTY UPON  
21 WHICH THE SPECIAL EVENT OR CONCERT IS LOCATED.

22 (D) *DEPARTMENT STAFFING.* THE DEPARTMENT SHALL DETERMINE THE ADEQUATE LEVEL OF  
23 STAFFING FOR THE SPECIAL EVENT OR CONCERT BASED ON BEST PRACTICES AND STANDARDS  
24 GENERALLY ACCEPTED IN THE PUBLIC SAFETY AREA.

25 (E) *MULTIPLE DAY EVENTS.* IF THE APPLICATIONS FOR A MULTIPLE DAY EVENT MEETS THE CRITERIA  
26 SET FORTH IN THIS SECTION, A SEPARATE PERMIT SHALL BE ISSUED FOR EACH DAY OF A MULTIPLE-  
27 DAY EVENT.

28 (F) *CANCELLED EVENT.* AN ISSUED PERMIT BECOMES VOID IF AN EVENT IS CANCELLED.

29  
30 **SECTION 17.905. FEES.**

1 (A) *APPLICATION FEE*. EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE COUNTY  
2 SHALL CHARGE AN APPLICATION FEE FOR A PERMIT ISSUED UNDER THIS SUBTITLE THAT IS:

- 3 (1) NONREFUNDABLE;
- 4 (2) DUE UPON APPLICATION FOR A PERMIT;
- 5 (3) ADOPTED BY RESOLUTION OF THE COUNTY COUNCIL; AND
- 6 (4) PAID ONE TIME FOR A MULTIPLE-DAY EVENT.

7 (B) *PERMIT FEE*. EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE COUNTY MAY  
8 CHARGE A FEE FOR A PERMIT ISSUED UNDER THIS SUBTITLE THAT IS ADOPTED BY RESOLUTION OF  
9 THE COUNTY COUNCIL.

10 (C) *FEE EXEMPTIONS*. THE COUNTY:

- 11 (1) SHALL EXEMPT AN APPLICANT FOR A PARADE OR BLOCK PARTY FROM PAYING A  
12 PERMIT FEE;
- 13 (2) MAY EXEMPT AN APPLICANT FROM PAYING A PERMIT OR APPLICATION FEE, OR BOTH  
14 THE PERMIT AND APPLICATION FEE, IF THE COUNTY DETERMINES THAT A WAIVER IS  
15 IN THE BEST INTEREST OF THE COUNTY;
- 16 (3) MAY PROVIDE OTHER EXEMPTIONS AS ADOPTED BY RESOLUTION; AND
- 17 (4) SHALL NOT PAY PERMIT OR APPLICATION FEES FOR COUNTY-SPONSORED SPECIAL  
18 EVENTS OR CONCERTS.

19 (D) *NONPROFIT ORGANIZATIONS*. A RESOLUTION ESTABLISHING PERMIT FEES MAY PROVIDE A  
20 REDUCED PERMIT FEE FOR NONPROFIT ORGANIZATIONS.

21 (E) PERMIT FEES FOR MULTIPLE-DAY EVENTS. MULTIPLE-DAY EVENTS SHALL BE ASSESSED A  
22 PERMIT FEE FOR EACH DAY OF THE EVENT.

23

24 **SECTION 17.906. DUTIES OF A PERMIT HOLDER.**

25 (A) *FREE FROM DEBRIS*. THE PERMIT HOLDER SHALL:

- 26 (1) DURING THE SPECIAL EVENT OR CONCERT, KEEP THE PUBLIC ~~STREET, HIGHWAY, OR~~  
27 SIDEWALK STREET OR HIGHWAY CLEAN AND FREE FROM PAPER, DEBRIS, OR REFUSE;
- 28 (2) UPON TERMINATION OF THE PERMIT BY LAPSE OF TIME OR OTHERWISE, REMOVE  
29 ALL MATERIALS AND EQUIPMENT AND CLEAN THE PUBLIC ~~STREET, HIGHWAY, OR~~  
30 SIDEWALK STREET OR HIGHWAY; AND

1 (3) IF PUBLIC PROPERTY HAS BEEN DAMAGED, REIMBURSE THE COUNTY FOR COSTS TO  
2 RESTORE THE PROPERTY TO THE CONDITION IT WAS IN PRIOR TO THE SPECIAL EVENT  
3 OR CONCERT.

4 (B) *PASSAGE OF EMERGENCY VEHICLES.* WHENEVER A PERMIT REQUIRES THE CLOSURE OF A PUBLIC  
5 STREET OR HIGHWAY, THE PERMIT HOLDER MAY BE REQUIRED TO MAINTAIN A CLEAR PATH OF NOT  
6 LESS THAN TEN FEET WIDE AT ALL TIMES DURING THE EVENT TO PROVIDE FOR THE PASSAGE OF  
7 EMERGENCY VEHICLES.

8 (D) *UPDATE INFORMATION.* THE PERMIT HOLDER SHALL IMMEDIATELY NOTIFY THE ~~DEPARTMENT~~  
9 COUNTY IF ANY INFORMATION PROVIDED IN THE PERMIT APPLICATION IS REVISED OR CHANGED IN  
10 ANY MANNER.

11 (E) *STAFFING.* WITH THE EXCEPTION OF COUNTY SERVICES INCLUDING, WITHOUT LIMITATION,  
12 TRAFFIC CONTROL, SECURITY AND EMERGENCY SERVICES, THE PERMIT HOLDER SHALL STAFF THE  
13 SPECIAL EVENT OR CONCERT WITH THE PERMIT HOLDER'S EMPLOYEES, AGENTS, AND VOLUNTEERS.  
14 THE PERMIT HOLDER IS RESPONSIBLE FOR SALARIES, EXPENSES, WORKERS' COMPENSATION  
15 INSURANCE, LIABILITY INSURANCE, AND TAXES DUE TO ANY EMPLOYEES OR OWED TO ANY  
16 GOVERNMENTAL AGENCY ON THE PERMIT HOLDER'S BEHALF.

17 (F) *COMPLIANCE WITH EVENT PLAN.* A PERMIT HOLDER SHALL COMPLY WITH PLANS FOR THE  
18 SPECIAL EVENT OR CONCERT THAT HAVE BEEN MUTUALLY AGREED TO BETWEEN THE PERMIT  
19 HOLDER AND THE ~~DEPARTMENT~~ COUNTY.

20  
21 **SECTION 17.907. INSPECTIONS.**

22 THE COUNTY MAY INSPECT THE SPECIAL EVENT OR CONCERT AND MAY ISSUE CITATIONS FOR ANY  
23 VIOLATION OF THIS SUBTITLE, THE PERMIT, OR ANY OTHER PROVISION OF THE HOWARD COUNTY  
24 CODE.

25  
26 **SECTION 17.908. PENALTIES.**

27 (A) THE ~~DEPARTMENT~~ COUNTY MAY INSTITUTE ANY ACTION AT LAW OR EQUITY, INCLUDING  
28 INJUNCTION OR MANDAMUS, TO ENFORCE THE PROVISIONS OF THIS SUBTITLE.

29 (B) ALTERNATIVELY, AND IN ADDITION TO AND CONCURRENT WITH ALL OTHER REMEDIES, THE  
30 ~~DEPARTMENT~~ COUNTY MAY ENFORCE THE PROVISIONS OF THIS SUBTITLE WITH CIVIL PENALTIES

1 IN ACCORDANCE WITH TITLE 24 OF THIS CODE. A VIOLATION OF THIS SUBTITLE IS A CLASS C  
2 OFFENSE. EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

3 (C) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR  
4 AND, UPON CONVICTION, IS SUBJECT TO A FINE WHICH SHALL NOT EXCEED \$1,000.00.

5  
6 **SECTION 17.909. SEVERABILITY.**  
7 IF ANY SECTION, SENTENCE, CLAUSE OR PHRASE OF THIS SUBTITLE IS HELD INVALID OR  
8 UNCONSTITUTIONAL BY ANY COURT OR COMPETENT JURISDICTION, THE RULING SHALL NOT AFFECT  
9 THE VALIDITY OF THE REMAINING PORTIONS OR THIS SUBTITLE.

10  
11 **Title 19. Recreation and Parks.**

12 **Subtitle 2. Park Land, Open Space and Natural Resource Regulations.**

13  
14  
15 **Section 19.205. Permits.**

16 (c) *Activities Requiring a Permit.* Unless a permit for the activity is obtained prior to the date of  
17 the activity, the following activities are prohibited:

- 18 (11) *Interference with the use of park property.* Interference with the use of park  
19 property, including, without limitation, blocking a road, path, or walkway, and a  
20 parade or assembly held on park property shall be subject to the provisions of [[title  
21 14, subtitle 3]] TITLE 17, SUBTITLE 9 of the Howard County Code;

22  
23 **Section 2. *And Be It Further Enacted* by the County Council of Howard County, Maryland that**  
24 ***this Act shall become effective 61 days after its enactment.***