

County Council Of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 2

Resolution No. 24 -2018

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

A RESOLUTION approving an application fee for Special Event and Concert Permits; and repealing a previously adopted fee schedule related to concerts.

Introduced and read first time February 5, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on February 20, 2018.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments __, Failed __, Withdrawn __, by the County Council on March 5, 2018.

Certified By Jessica Feldmark
Jessica Feldmark, Administrator

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 **WHEREAS**, concurrent with this fee schedule, the Council has approved Council Bill
2 No. 12-2018, which requires a permit for concerts and for special events such as parades, public
3 assemblies, athletic events and block parties; and
4

5 **WHEREAS**, Section 17.905, as included in Council Bill No. 12-2018, provides that the
6 County shall charge a non-refundable application fee for Special Event and Concert Permits and
7 the application fee is due upon application for a permit; and
8

9 **WHEREAS**, Section 17.905 provides that the application fee shall be adopted by
10 Resolution of the County Council; and
11

12 **WHEREAS**, Council Resolution No. 62-2017 was approved by the Council on May 24,
13 2017 and adopted a rate for concert permit applications under the authority of Title 14, Subtitle 5
14 of the Howard County Code; and
15

16 **WHEREAS**, Council Bill No. 12-2018 repeals Title 14, Subtitle 5 and, accordingly,
17 any fees authorized by that Subtitle need to be repealed.
18

19 **NOW, THEREFORE, BE IT RESOLVED**, by the County Council of Howard County,
20 Maryland this 5th day of March, 2018 that it adopts the attached application fees for the
21 Special Event and Concert Permit.
22

23 **AND BE IT FURTHER RESOLVED**, that the fee schedule shall be effective when
24 Council Bill No. 12-2018 is effective and shall continue in effect until changed or repealed by
25 subsequent Resolution of the County Council.
26

27 **AND BE IT FURTHER RESOLVED**, that the fee schedule titled "Concert Permit", as
28 adopted by Council Resolution No. 62-2017, is hereby repealed.

APPLICATION FEES FOR SPECIAL EVENT AND CONCERT PERMITS

This fee is set pursuant to Section 17.905 of the Howard County Code that authorizes the County to charge an application fee for Special Events and Concert Permits.

Non-refundable Application Fee for Special Events: \$50


Non-refundable Application Fee for Concerts: \$200

ALLAN H. KITTLEMAN
County Executive



GARY L. GARDNER
Chief of Police

HOWARD COUNTY DEPARTMENT OF POLICE
3410 Court House Drive, Ellicott City, Maryland 21043

DATE: February 7, 2018
TO: Lonnie R. Robbins
Chief Administrative Officer
FROM: Gary L. Gardner 
Chief of Police
SUBJECT: Testimony & Fiscal Impact Statement for legislation establishing a
Special Event and Concert Permit and establishing related application fees

Howard County recognizes the substantial benefits that result from events that take place in our communities. These events provide cultural enrichment, promote economic vitality, enhance community identity and pride, and provide opportunities for fundraising for the community's nonprofit agencies. Partnerships between the County, event sponsors and the community are valuable and necessary to ensure safe and successful events and to minimize the impact of events on the community. The County has an obligation to protect public health and safety, and to ensure we minimize the impact of planned events.

Howard County is committed to facilitating a wide range of events that highlight the diverse communities within the County. The process outlined below illustrates the changes required to ensure appropriate services continue to be provided.

Over the past several years, the County has experienced a steady increase in the number of permit requests that are received, processed, and staffed.

	2017	2016	2015
Police Special Events	226	183	169
Cost	\$609,534.12	\$539,312.12	\$423,253.57
Police Merriweather Events	44	32	32
Cost	\$796,456.47	\$593,596.71	\$642,232.98

Similarly, during calendar year 2016, the Department of Fire and Rescue Services provided staffing at 14 special events and 31 concerts for a total overtime cost to the County of \$140,890.15.

Beyond the significant financial drain on County funds, there is also a demand on personnel resources. There are certain dates that have so many requests that they cannot all be honored with available staff.



We have worked with sponsors to reschedule events to more manageable dates, modify locations or events to reduce the amount of required resources, or denied the requests. To remedy this issue, a more robust system for receiving permit applications, processing route plans, communicating with County stakeholders, soliciting input and approval from other County agencies, and providing appropriate notification to the public is required.

The number of events held in Howard County has steadily grown to the point where the County's public safety agencies no longer have the staffing capability to service all of the applications that the County receives. Likewise, the costs of servicing these events has grown substantially, and places a significant burden on the County's public safety agencies' overall resources.

Planned events currently take place under the authority of Title 14, Subtitle 3 of the County Code. This provision was first-enacted in 1970 and has not been substantively amended since then. Concerts are currently governed by Title 14, Subtitle 5, a provision adopted in the 1970's and last amended in the early 1990s.

It is recommended that the above sections be repealed and replaced with a comprehensive Special Event and Concert Permit subtitle of the County Code. This approach would allow all special events and concerts to be managed in a consistent manner. To this end, the Administration has filed 2 legislative items.

New Software

New software will be utilized to manage the application permitting process. The Accela software is currently used by the Department of Licensing and Permits (DILP) and will allow the HCPD to more efficiently manage the permitting process. This system will provide a mechanism for collecting application and permit fees, facilitate communication between the HCPD and event stakeholders, and provide a notification portal to community residents.

Council Bill establishing a Special Event and Concert Permit

1. The Bill repeals current antiquated provisions related to concerts and parades.
2. A Special Event and Concert Permit ("Permit") will be required when:
 - a. A special event (defined to include an athletic event, block party, parade, etc.) requires the closure of a street, highway, sidewalk or road or requires County personnel to re-direct traffic;
or
 - b. The event is a concert with more than 2,000 people.

It is important to note that a permit for an athletic event, block party, parade, or assembly will only be needed when traffic is impacted.

3. The Police Department ("HCPD") will administer the Permit but will work with the Department of Fire and Rescue Services and other relevant County agencies. As each event is unique, the HCPD will consult with relevant County or State agencies in its consideration of an application.

4. The Bill will set forth the information that must be provided with an application to include parking arrangements.
5. An important requirement of this Bill is that it establishes application deadlines. Such a deadline will allow for better planning and coordination. Applications will be due at least 60 calendar days, but not more than one year before the event.
6. Applications will be processed on a "first-in-time" basis and if multiple applications are received for the same day, the HCPD will consider resources when determining if it is possible to support multiple events. If staff is not available to support multiple events on the same day, the HCPD will work with the applicants to find convenient alternative dates.
7. Permits shall be granted or denied at least 14 days before the event.
8. The Bill establishes authority to adopt a non-refundable application fee and a permit fee. The permit fee may vary for a nonprofit organization. The Bill specifically exempts parades or block parties from paying the permit fee. Such types of events will still need to pay an application fee to account for the HCPD's review. The Bill also authorizes a waiver of permit and/or application fees when the County determines that such a waiver is in the best interest of the County.
9. The Bill sets forth the duties of the permit holder to include such things as allowing for the passage of emergency vehicles and updating application information.
10. The Bill specifically exempts a public assembly that is a spontaneous response to a current event and which has fewer than 50 participants. This type of public assembly would not be required to obtain a permit. It is important to also note that the requirement to get a permit does not apply to events such as block parties, athletic events, parades and public assemblies that do not impact traffic and the roadways.

Council Resolution establishing application fees for the Special Event and Concert Permit

At this time, the Administration is submitting a resolution to establish application fees, only. For Special Events (parades, block parties, athletic events and public assemblies) the application fee will be \$50. For Concerts, the application fee will be \$200 which is equal to the concert fee that currently exists under the authority of Section 14.503 of the County Code. During the upcoming budget process, the Administration will submit a permit fee for special events.

Representatives of the HCPD and County Administration will be present at the public hearing to answer any questions. If you require any further information concerning this matter or have any additional questions, please do not hesitate to contact me at your convenience.

cc: Major Mary Levy
Captain Michael Yetter
Jennifer Sager