

Introduced 2/5/18  
Public Hearing 2/20/18  
Council Action 3/5/18  
Executive Action 3/12/18  
Effective Date 5/12/18

## 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.

Introduced and read first time February 5, 2018. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
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 February 20, 2018.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on March 5, 2018 and Passed , Passed with amendments , Failed .

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8<sup>th</sup> day of March, 2018 at 4 a.m./p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved Vetoed by the County Executive March 12, 2018

Allan H. Kittleman  
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 (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.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on March 12, 2018.

Jessica Feldmark  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

Amendment 1 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1

*(This amendment adds a definition for "multiple-day event" and clarifies certain provisions related to multiple-day events.)*

1 On page 1, after line 29, insert:

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

3

4 On page 2, in line 1, strike "(E)" and substitute "(F)"; in line 4, strike "(F)" and substitute "(G)"; in  
5 line 7, strike "(G)" and substitute "(H)"; in line 10, strike "(H)" and substitute "(I)"; in line 12, strike  
6 "(I)" and substitute "(J)"; in line 13, strike "(J)" and substitute "(K)"; in line 15, strike "(K)" and  
7 substitute "(L)"; and, in line 17, strike "(L)" and substitute "(M)".

8

9 On page 3, in line 3, strike "THAT OCCURS ON CONSECUTIVE DAYS".

10

11 On page 8, after line 10, insert:

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

ADOPTED

3/5/18

FAILED

SIGNATURE

Jessica Jeddman

**Amendment 2 to Council Bill No. 12-2018**

**BY: The Chairperson at the  
request of the County Executive**

**Legislative Day No. 3  
Date: March 5, 2018**

**Amendment No. 2**

*(This amendment makes the following changes to the definition section:*

- 1. Amends the definition of parade to clarify that a parade can only occur on a public street;*
- 2. Clarifies the definition of person to include "government";*
- 3. Clarifies the definition of promoter;*
- 4. Clarifies that a public assembly includes expressive activity.)*

*This amendment also clarifies that a concert is to view a live performance.)*

1 On page 1, in line 28, before "PERFORMANCE", insert "LIVE".

2

3 On page 2, in line 9, strike ", SIDEWALK, ALLEY OR OTHER PUBLIC PLACE".

4

5 On page 2, in line 11, after "PROMOTER," insert "GOVERNMENT,".

6

7 On page 2, in line 14, strike "THE EVENT" and substitute "THE SPECIAL EVENT OR CONCERT".

8

9 On page 2, in line 16, after "ACTIVITY" insert "OR EXPRESSIVE ACTIVITY".

ADOPTED

FAILED

SIGNATURE

*as amended 3/5/18*

*Jessica Feldman*

Amendment 1 to Amendment No. 2 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 2

*(This amendment clarifies that a concert is to view live performance.)*

- 1 In the description of the amendment, insert a second sentence as follows:
- 2 "This amendment also clarifies that a concert is to view a live performance."
- 3
- 4 On page 1, before line 1, insert:
- 5 "On page 1, in line 28, before "PERFORMANCE", insert "LIVE."

ADOPTED

3/5/18

FAILED

SIGNATURE

Jessica Toddman



Amendment 3 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 3

(This amendment:

1. Clarifies the conduct for which the permit requirement applies;
2. Removes the permit requirement for special events that may occur on a sidewalk; and
3. Clarifies that special events and concerts that occur on park property are subject to a specific Title of the County Code.)

1 On page 2, in line 19, strike “APPLICABILITY;”.

2

3 On page 2, strike lines 20 and 21 in their entirety.

4

5 On page 2, in line 22, strike “(B)” and substitute “(A)” and, in the same line, strike “UNLESS A  
6 PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE” and substitute “A”.

7

8 On page 2, in line 23, strike “NOT CAUSE A SPECIAL EVENT TO OCCUR” and substitute “OBTAIN A  
9 PERMIT UNDER THIS SUBTITLE FOR A SPECIAL EVENT”.

10

11 On page 2, in line 24, strike “SIDEWALK;”.

12

13 On page 2, in line 28, strike “(C)” and substitute “(B)” and, in the same line, strike “UNLESS A  
14 PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE” and substitute “A”.

15

16 On page 2, in line 29, strike “NOT ALLOW OR CAUSE” and substitute “OBTAIN A PERMIT UNDER THIS  
17 SUBTITLE FOR”.

18

19 On page 2, after line 30, insert:

20 “(C) PARK PROPERTY. SPECIAL EVENTS AND CONCERTS THAT OCCUR ON PARK PROPERTY SHALL BE  
21 SUBJECT TO TITLE 19 OF THIS CODE.”.

22

ADOPTED as amended 3/5/18  
FAILED  
SIGNATURE Jessica Feldman

1 On page 8, in line 14, strike “STREET, HIGHWAY, OR”.

2

3 On page 8, in line 15, strike “SIDEWALK” and substitute “STREET OR HIGHWAY”.

4

5 On page 8, in line 17, strike “STREET, HIGHWAY, OR”.

6

7 On page 8, in line 18, strike “SIDEWALK” and substitute “STREET OR HIGHWAY”.

Amendment 1 to Amendment No. 3 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 3

*(This amendment removes other references to sidewalks.)*

1 On page 1, after line 21, insert:

2 “On page 8, in line 14, strike “STREET, HIGHWAY, OR”.

3

4 On page 8, in line 15, strike “SIDEWALK” and substitute “STREET OR HIGHWAY”.

5

6 On page 8, in line 17, strike “STREET, HIGHWAY, OR”.

7

8 On page 8, in line 18, strike “SIDEWALK” and substitute “STREET OR HIGHWAY”.”.

ADOPTED

3/5/18

FAILED

SIGNATURE

Jessica Feldman

Amendment 4 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 4

*(This amendment adds a waiver of the requirement to submit an application within a certain time, amends the requirements for concert applications and amends the priority of applications.)*

1 On page 3, in line 8, strike “BE” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS  
2 SECTION, BE”.

3 On page 4, in line 11, strike “AND”.

4

5 On page 4, in line 12, strike “EVIDENCE OF AGREEMENTS WITH EACH OWNER” and substitute  
6 “DOCUMENTED APPROVAL OR OTHER SIMILAR PROOF WITH EACH OWNER OR OWNER’S AGENT”.

7

8 On page 4, after line 14, insert:

9 “E. THE NUMBER OF SPACES AND LOCATION OF ACCESSIBLE PARKING; AND”.

10

11 On page 4, strike lines 23 and 24 in their entirety.

12

13 On page 4, strike lines 25 through 27, inclusive and in their entirety and substitute:

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

16 (III) WHETHER THERE ARE ANY AVAILABLE OFF-PREMISES LOTS THAT ARE NOT LISTED IN ITEM  
17 (C)(4)(II)D. AND FOR SUCH LOTS, DOCUMENTED APPROVAL OR OTHER SIMILAR PROOF WITH  
18 THE OWNER OR OWNER’S AGENT THAT THE OFF-PREMISES PARKING IS AVAILABLE TO SERVE  
19 THE CONCERT; AND”

20

21 On page 4, strike line 30.

22

ADOPTED as amended 3/5/18  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Feldmark

1 On page 5, in line 18, after “PRIORITY OF APPLICATIONS” insert “FOR SPECIAL EVENTS” and, in the  
2 same line, before “SHALL” insert “FOR SPECIAL EVENTS”

3 On page 5, after line 22, insert:

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

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

9 (2) THE SPECIAL EVENT OR CONCERT IS A SPONTANEOUS RESPONSE TO A CURRENT  
10 EVENT.”.

Amendment 1 to Amendment No. 4 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 4

*(Related to applications, this amendment makes changes to the parking information required to be provided with the application for a concert and clarifies that the priority of applications applies to applications for special event permits.)*

1 In the description of the amendment, after “time” insert “amends the requirements for concert  
2 applications and amends the priority of applications”.

3

4 On page 1, in line 3, insert:

5 “On page 4, in line 11, strike “AND”.”

6

7 On page 4, in line 12, strike “EVIDENCE OF AGREEMENTS WITH EACH OWNER” and substitute

8 “DOCUMENTED APPROVAL OR OTHER SIMILAR PROOF WITH EACH OWNER OR OWNER’S AGENT”.”

9

10 On page 4, after line 14, insert:

11 “E. THE NUMBER OF SPACES AND LOCATION OF ACCESSIBLE PARKING; AND”.”

12

13 On page 4, strike lines 23 and 24 in their entirety.

14

15 On page 4, strike lines 25 through 27, inclusive and in their entirety and substitute:

16 “(II) OF THE OFF-PREMISES PARKING LISTED IN ITEM (C)(4)(II)D. OF THIS SUBSECTION, A LIST OF

17 WHICH OFF-PREMISES PARKING WILL BE USED FOR THE CONCERT;

18 (III) WHETHER THERE ARE ANY AVAILABLE OFF-PREMISES LOTS THAT ARE NOT LISTED IN ITEM

19 (C)(4)(II)D. AND FOR SUCH LOTS, DOCUMENTED APPROVAL OR OTHER SIMILAR PROOF WITH

20 THE OWNER OR OWNER’S AGENT THAT THE OFF-PREMISES PARKING IS AVAILABLE TO SERVE

21 THE CONCERT; AND”

22

ADOPTED

3/5/18

FAILED

SIGNATURE

Jessica Feldman

1 On page 4, strike line 30.

2

3 On page 5, in line 18, after “*PRIORITY OF APPLICATIONS*” insert “*FOR SPECIAL EVENTS*” and, in

4 the same line, before “SHALL” insert “FOR SPECIAL EVENTS”.

Amendment 5 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 5

*(This amendment makes the following corrections:*

1. *Removes certain redundant language;*
2. *Corrects a typographical error in a reference to State law;*
3. *Makes certain technical corrections; and*
4. *Ensures consistent terminology by changing certain references to Department to be County.)*

1 On page 3, in line 21, strike “OF A SPECIAL EVENT OR CONCERT”.

2

3 Strike “12-1211” and substitute “21-1211” in the following instances:

4 • On page 5, in line 3; and

5 • On page 7, in line 2.

6

7 On page 4, in line 19, strike “, IF ANY”.

8

9 On page 5, in line 25, strike “PERMIT” and substitute “APPLICATION”.

10

11 On page 5, in line 27, strike “GRANT THE APPLICATION” and substitute “ISSUE THE PERMIT”.

12

13 On page 5, in line 31, strike “AN EVENT OR ACTIVITY” and substitute “A SPECIAL EVENT OR  
14 CONCERT”.

15

16 On page 6, in line 2, strike “OR ON BEHALF OF”.

17

18 On page 8, in line 3, after “APPLICATION”, insert “FEE”.

19

20 On page 8, in line 24, after “FEET” insert “WIDE”.

21

ADOPTED

3/5/18

FAILED

SIGNATURE

Jessica Feldman



1 Strike “DEPARTMENT” and substitute “COUNTY” in the following instances:

- 2 • On page 5, in lines 19 and 20;
- 3 • On page 6, in line 27, in both instances;
- 4 • On page 8, in line 26; and
- 5 • On page 9, in lines 6, 14, and 17.

Amendment 6 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 6

*(This amendment clarifies certain criteria upon which the County can grant or deny an application or permit and clarifies that a permit is void if it is cancelled.)*

1 On page 6, in line 17, after "SITUATIONS" insert "BASED ON THE HOWARD COUNTY BUILDING CODE  
2 AND THE HOWARD COUNTY FIRE PREVENTION CODE".

3

4 On page 6, strike line 18, and substitute:

5 "(10) THE PROCEDURE FOR LITTER CONTROL IS INADEQUATE WHEN CONSIDERING:

6 (I) THE NUMBER AND SIZE OF CONTAINERS PROPOSED FOR THE SPECIAL EVENT  
7 OR CONCERT;

8 (II) WHETHER THE CONTAINERS ARE PROPOSED TO BE CONVENIENTLY PLACED,  
9 EMPTIED PERIODICALLY WHEN FULL, AND REMOVED FROM THE SITE AT THE  
10 END OF THE SPECIAL EVENT OR CONCERT;

11 (III) THE PROCESS FOR LITTER PICKUP FOR TRASH NOT PLACED IN CONTAINERS  
12 WITHIN THE PERIMETER OF THE SPECIAL EVENT OR CONCERT; AND

13 (IV) WHETHER THE COLLECTION OF RECYCLABLES IS INADEQUATE BASED ON  
14 SECTION 18.612 OF THE HOWARD COUNTY CODE;".

15 On page 7, in line 10, strike "OR".

16

17 On page 7, in line 13, strike "SOUGHT." and substitute "SOUGHT; OR".

18

19 On page 7, after line 13, insert:

20 "(3) NOTWITHSTANDING ANY AGREEMENT RELATING TO THE USE OF PROPERTY

21 BETWEEN AN APPLICANT AND ANOTHER PARTY, A PERMIT SHALL BE CANCELLED IF

22 THE APPLICANT DOES NOT HAVE THE AUTHORITY TO USE THE PROPERTY UPON

23 WHICH THE SPECIAL EVENT OR CONCERT IS LOCATED.".

24

ADOPTED as amended 3/5/18  
FAILED  
SIGNATURE Jessica Feldman

1 On page 7, after line 19, insert:

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

3 CANCELLED.”

Amendment 1 to Amendment No. 6 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 6

*(This amendment adds a reason for which a permit can be cancelled and clarifies that a permit is void when an event is cancelled.)*

1 In the description of the amendment, after “*application*” insert “*or permit and clarifies that a*  
2 *permit is void if it is cancelled*”.

3

4 On page 1, after line 14, insert:

5 “On page 7, in line 10, strike “OR”.”

6

7 On page 7, in line 13, strike “SOUGHT.” and substitute “SOUGHT; OR”.

8

9 On page 7, after line 13, insert:

10 “(3) NOTWITHSTANDING ANY AGREEMENT RELATING TO THE USE OF PROPERTY  
11 BETWEEN AN APPLICANT AND ANOTHER PARTY, A PERMIT SHALL BE CANCELLED IF  
12 THE APPLICANT DOES NOT HAVE THE AUTHORITY TO USE THE PROPERTY UPON  
13 WHICH THE SPECIAL EVENT OR CONCERT IS LOCATED.”.

14

15 On page 7, after line 19, insert:

16 “(F) CANCELED EVENT. AN ISSUED PERMIT BECOMES VOID IF AN EVENT IS CANCELLED.”.

ADOPTED

3/5/18

FAILED

SIGNATURE

Jessica Feldman

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.

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 PERFORMANCE.

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

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

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

7 (G) *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) *PERSON* MEANS ANY REAL PROPERTY OWNER, INDIVIDUAL, BUSINESS ENTITY, ASSOCIATION,  
11 GROUP, PROMOTER, OR ORGANIZATION.

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

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

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

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

18

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

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

22 (B) *SPECIAL EVENTS*. UNLESS A PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE PERSON  
23 SHALL NOT CAUSE A SPECIAL EVENT TO OCCUR IF THE SPECIAL EVENT:

24 (1) REQUIRES THE CLOSURE OF A STREET, HIGHWAY, SIDEWALK, OR ROAD; OR

25 (2) REQUIRES AUTHORIZED COUNTY EMPLOYEES TO STOP OR REROUTE VEHICULAR OR  
26 PEDESTRIAN TRAFFIC BECAUSE THE SPECIAL EVENT WILL NOT OR CANNOT COMPLY  
27 WITH NORMAL AND USUAL TRAFFIC REGULATIONS OR CONTROLS.

28 (C) *CONCERTS*. UNLESS A PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE PERSON SHALL  
29 NOT ALLOW OR CAUSE A CONCERT TO BE PERFORMED ON PUBLIC OR PRIVATE PROPERTY BEFORE A  
30 GATHERING IN EXCESS OR ANTICIPATED TO BE IN EXCESS OF 2,000 PERSONS.

31

1 **SECTION 17.902. APPLICATION REQUIREMENTS.**

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

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

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

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

- 29 (1) THE NAME AND ADDRESS OF THE OWNER OF THE CONCERT FACILITY;
- 30 (2) THE ADDRESS OF THE CONCERT FACILITY;



1 (3) THE NUMBER OF PERSONS WHO CAN BE ACCOMMODATED AT THE CONCERT  
2 FACILITY IN ACCORDANCE WITH THE HOWARD COUNTY BUILDING CODE AND THE  
3 HOWARD COUNTY FIRE PREVENTION CODE;

4 (4) REGARDING PARKING:

5 (I) THE NUMBER OF PARKING SPACES AVAILABLE AT THE PREMISES;

6 (II) IF OFF-PREMISES PARKING WILL BE RELIED UPON AT ANY POINT DURING THE  
7 CALENDAR YEAR:

8 A. THE TOTAL NUMBER OF PARKING SPACES LOCATED OFF-PREMISES;

9 B. A MAP SHOWING ALL AVAILABLE OFF-PREMISES PARKING;

10 C. A STATEMENT THAT OFF-PREMISES PARKING WILL BE AVAILABLE  
11 FOR USE BY CONCERT SPECTATORS; AND

12 D. EVIDENCE OF AGREEMENTS WITH EACH OWNER OF OFF-PREMISES  
13 PROPERTY THAT OFF-PREMISES PARKING IS AVAILABLE TO SERVE  
14 THE CONCERT FACILITY; AND

15 (5) ANY OTHER INFORMATION AS THE COUNTY MAY REQUIRE IN ITS REVIEW OF THE  
16 APPLICATION.

17 (D) *CONCERT EVENTS—INFORMATION TO BE PROVIDED FOR EACH CONCERT.* WITH AN APPLICATION  
18 FOR EACH CONCERT, AN APPLICANT SHALL PROVIDE THE FOLLOWING INFORMATION:

19 (1) THE NAME AND ADDRESS OF THE PROMOTER, IF ANY;

20 (2) THE NUMBER OF PARKING SPACES AVAILABLE AT THE PREMISES;

21 (3) IF OFF-PREMISES PARKING IS RELIED UPON:

22 (i) THE NUMBER OF PARKING SPACES TO BE PROVIDED OFF-PREMISES;

23 (ii) A MAP SHOWING THE OFF-PREMISES PARKING TO BE USED FOR THAT  
24 CONCERT;

25 (iii) EVIDENCE OF AN AGREEMENT WITH EACH OWNER OF OFF-PREMISES  
26 PROPERTY THAT SUCH OFF-PREMISES PARKING IS AVAILABLE FOR THE  
27 CONCERT;

28 (iv) WHETHER SHUTTLE SERVICE WOULD NEED TO BE PROVIDED IN ORDER TO  
29 COMPLY WITH ACCESSIBILITY REQUIREMENTS; AND

30 (v) THE NUMBER OF SPACES AND LOCATION OF ACCESSIBLE PARKING; AND

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

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

- 7 (1) COMPLIES WITH STATE LAW; AND
- 8 (2) MAY BE SIGNED THROUGH AN ELECTRONIC PROCESS FOR WHICH THE OATH OR  
9 AFFIRMATION SHALL BE MADE BY AN ELECTRONIC SIGNATURE THAT:
  - 10 (I) IS ATTACHED TO AND MADE PART OF THE AGREEMENT;
  - 11 (II) IS MADE EXPRESSLY UNDER THE PENALTIES OF MAKING A FALSE STATEMENT  
12 TO A LAW ENFORCEMENT OFFICER; AND
  - 13 (III) SUBJECTS THE INDIVIDUAL MAKING THE SIGNATURE TO THE PENALTIES OF  
14 MAKING A FALSE STATEMENT TO A LAW ENFORCEMENT OFFICER TO THE  
15 SAME EXTENT AS AN OATH OR AFFIRMATION BEFORE AN INDIVIDUAL  
16 AUTHORIZED TO ADMINISTER OATHS; AND
- 17 (3) IS EXECUTED PRIOR TO THE GRANT OF A PERMIT.

18 (F) *PRIORITY OF APPLICATIONS.* APPLICATIONS SHALL BE CONSIDERED ON A FIRST-IN-TIME BASIS  
19 DEPENDING ON WHEN THE APPLICATION AND APPLICATION FEE IS RECEIVED BY THE DEPARTMENT.  
20 HOWEVER, IF MULTIPLE APPLICATIONS FOR THE SAME DATE ARE RECEIVED, THE DEPARTMENT MAY  
21 CONSIDER AVAILABLE RESOURCES WHEN DETERMINING WHETHER TO HOLD MULTIPLE EVENTS ON A  
22 GIVEN DAY.

23  
24 **SECTION 17.904. CONSIDERATION OF AN APPLICATION.**

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

27 (B) *CRITERIA.* THE COUNTY SHALL GRANT THE APPLICATION UNLESS:

- 28 (1) THE APPLICANT HAS DAMAGED COUNTY PROPERTY AND HAS NOT PAID IN FULL FOR  
29 SUCH DAMAGE, OR HAS OTHER OUTSTANDING AND UNPAID DEBTS TO THE COUNTY;
- 30 (2) THE APPLICANT HAS MADE MATERIAL MISREPRESENTATIONS REGARDING THE  
31 NATURE OR SCOPE OF AN EVENT OR ACTIVITY FOR WHICH THE APPLICANT HAD

1 PREVIOUSLY RECEIVED A PERMIT OR HAS VIOLATED THE TERMS OF PRIOR PERMITS  
2 ISSUED TO OR ON BEHALF OF THE APPLICANT;

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

6 (4) COUNTY TRAFFIC FACILITIES ARE INADEQUATE TO ACCOMMODATE THE  
7 ANTICIPATED NUMBER OF SPECTATORS OR PARTICIPANTS ENTERING OR LEAVING  
8 THE SPECIAL EVENT OR CONCERT;

9 (5) THE APPLICANT FAILS TO DEMONSTRATE ADEQUATE SECURITY OR EMERGENCY  
10 RESPONSE SERVICES;

11 (6) THE PREMISES ARE INADEQUATE BASED ON THE HOWARD COUNTY BUILDING CODE  
12 TO SUPPORT THE ANTICIPATED NUMBER OF SPECTATORS OR PARTICIPANTS;

13 (7) THERE ARE INADEQUATE TOILET FACILITIES LOCATED AT THE PREMISES, BASED ON  
14 THE HOWARD COUNTY PLUMBING CODE;

15 (8) THERE ARE REFRESHMENT FACILITIES THAT DO NOT MEET STANDARDS  
16 ESTABLISHED BY THE HOWARD COUNTY HEALTH DEPARTMENT;

17 (9) THERE IS INSUFFICIENT INGRESS OR EGRESS FOR EMERGENCY SITUATIONS;

18 (10) THE PROCEDURE FOR LITTER CONTROL IS INADEQUATE;

19 (11) THE SPECIAL EVENT OR CONCERT WILL REQUIRE COUNTY SERVICES THAT ARE NOT  
20 AVAILABLE;

21 (12) THE APPLICANT HAS FAILED TO PROVIDE EVIDENCE OF OTHER REQUIRED PERMITS  
22 INCLUDING, WITHOUT LIMITATION, STATE, FEDERAL, OR LIQUOR BOARD PERMITS;

23 (13) THE PERMIT APPLICATION, INCLUDING ANY REQUIRED ATTACHMENTS AND  
24 SUBMISSIONS, IS NOT FULLY COMPLETED AND EXECUTED;

25 (14) THE APPLICANT HAS NOT PAID APPLICABLE APPLICATION FEES;

26 (15) A FULLY EXECUTED PRIOR APPLICATION AND APPLICATION FEE FOR THE SAME DATE  
27 HAS BEEN RECEIVED BY THE DEPARTMENT AND THE DEPARTMENT HAS DETERMINED  
28 THAT RESOURCES ARE NOT AVAILABLE TO STAFF ALL EVENTS ON THAT DAY;

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

1 (17) ANY APPLICABLE STATE LAW PROVISIONS HAVE NOT BEEN COMPLIED WITH,  
2 INCLUDING, WITHOUT LIMITATION, SECTION 12-1211 OF THE TRANSPORTATION  
3 ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

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

5 (19) THE APPLICANT PROVIDED A FALSEHOOD OR MISREPRESENTATION IN THE  
6 APPLICATION.

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

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

11 (2) BECAUSE THE APPLICANT FAILS TO COMPLY WITH ANY COUNTY, STATE, OR  
12 FEDERAL LAWS APPLICABLE TO THE SPECIAL EVENT OR CONCERT FOR WHICH THE  
13 PERMIT IS SOUGHT.

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

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

20  
21 **SECTION 17.905. FEES.**

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

24 (1) NONREFUNDABLE;

25 (2) DUE UPON APPLICATION FOR A PERMIT;

26 (3) ADOPTED BY RESOLUTION OF THE COUNTY COUNCIL; AND

27 (4) PAID ONE TIME FOR A MULTIPLE-DAY EVENT.

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

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

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

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

11  
12 **SECTION 17.906. DUTIES OF A PERMIT HOLDER.**

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

- 14 (1) DURING THE SPECIAL EVENT OR CONCERT, KEEP THE PUBLIC STREET, HIGHWAY, OR  
15 SIDEWALK CLEAN AND FREE FROM PAPER, DEBRIS, OR REFUSE;
- 16 (2) UPON TERMINATION OF THE PERMIT BY LAPSE OF TIME OR OTHERWISE, REMOVE  
17 ALL MATERIALS AND EQUIPMENT AND CLEAN THE PUBLIC STREET, HIGHWAY, OR  
18 SIDEWALK; AND
- 19 (3) IF PUBLIC PROPERTY HAS BEEN DAMAGED, REIMBURSE THE COUNTY FOR COSTS TO  
20 RESTORE THE PROPERTY TO THE CONDITION IT WAS IN PRIOR TO THE SPECIAL EVENT  
21 OR CONCERT.

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

26 (D) *UPDATE INFORMATION.* THE PERMIT HOLDER SHALL IMMEDIATELY NOTIFY THE DEPARTMENT IF  
27 ANY INFORMATION PROVIDED IN THE PERMIT APPLICATION IS REVISED OR CHANGED IN ANY  
28 MANNER.

29 (E) *STAFFING.* WITH THE EXCEPTION OF COUNTY SERVICES INCLUDING, WITHOUT LIMITATION,  
30 TRAFFIC CONTROL, SECURITY AND EMERGENCY SERVICES, THE PERMIT HOLDER SHALL STAFF THE  
31 SPECIAL EVENT OR CONCERT WITH THE PERMIT HOLDER'S EMPLOYEES, AGENTS, AND VOLUNTEERS.

1 THE PERMIT HOLDER IS RESPONSIBLE FOR SALARIES, EXPENSES, WORKERS' COMPENSATION  
2 INSURANCE, LIABILITY INSURANCE, AND TAXES DUE TO ANY EMPLOYEES OR OWED TO ANY  
3 GOVERNMENTAL AGENCY ON THE PERMIT HOLDER'S BEHALF.

4 (F) *COMPLIANCE WITH EVENT PLAN.* A PERMIT HOLDER SHALL COMPLY WITH PLANS FOR THE  
5 SPECIAL EVENT OR CONCERT THAT HAVE BEEN MUTUALLY AGREED TO BETWEEN THE PERMIT  
6 HOLDER AND THE DEPARTMENT.

7  
8 **SECTION 17.907. INSPECTIONS.**

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

12  
13 **SECTION 17.908. PENALTIES.**

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

16 (B) ALTERNATIVELY, AND IN ADDITION TO AND CONCURRENT WITH ALL OTHER REMEDIES, THE  
17 DEPARTMENT MAY ENFORCE THE PROVISIONS OF THIS SUBTITLE WITH CIVIL PENALTIES IN  
18 ACCORDANCE WITH TITLE 24 OF THIS CODE. A VIOLATION OF THIS SUBTITLE IS A CLASS C  
19 OFFENSE. EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

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

22  
23 **SECTION 17.909. SEVERABILITY.**

24 IF ANY SECTION, SENTENCE, CLAUSE OR PHRASE OF THIS SUBTITLE IS HELD INVALID OR  
25 UNCONSTITUTIONAL BY ANY COURT OR COMPETENT JURISDICTION, THE RULING SHALL NOT AFFECT  
26 THE VALIDITY OF THE REMAINING PORTIONS OR THIS SUBTITLE.

27  
28 **Title 19. Recreation and Parks.**

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

1 **Section 19.205. Permits.**

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

4 (11) *Interference with the use of park property.* Interference with the use of park  
5 property, including, without limitation, blocking a road, path, or walkway, and a  
6 parade or assembly held on park property shall be subject to the provisions of [[title  
7 14, subtitle 3]] TITLE 17, SUBTITLE 9 of the Howard County Code;

8  
9 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland that  
10 *this Act shall become effective 61 days after its enactment.*

Amendment 2 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 2

*(This amendment makes the following changes to the definition section:*

1. *Amends the definition of parade to clarify that a parade can only occur on a public street;*
2. *Clarifies the definition of person to include "government";*
3. *Clarifies the definition of promoter;*
4. *Clarifies that a public assembly includes expressive activity.)*

1 On page 2, in line 9, strike “, SIDEWALK, ALLEY OR OTHER PUBLIC PLACE”.

2

3 On page 2, in line 11, after “PROMOTER,” insert “GOVERNMENT,”.

4

5 On page 2, in line 14, strike “THE EVENT” and substitute “THE SPECIAL EVENT OR CONCERT”.

6

7 On page 2, in line 16, after “ACTIVITY” insert “OR EXPRESSIVE ACTIVITY”.





Amendment 3 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 3

*(This amendment:*

- 1. Clarifies the conduct for which the permit requirement applies;*
- 2. Removes the permit requirement for special events that may occur on a sidewalk; and*
- 3. Clarifies that special events and concerts that occur on park property are subject to a specific Title of the County Code.)*

1 On page 2, in line 19, strike “APPLICABILITY;”.

2

3 On page 2, strike lines 20 and 21 in their entirety.

4

5 On page 2, in line 22, strike “(B)” and substitute “(A)” and, in the same line, strike “UNLESS A  
6 PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE” and substitute “A”.

7

8 On page 2, in line 23, strike “NOT CAUSE A SPECIAL EVENT TO OCCUR” and substitute “OBTAIN A  
9 PERMIT UNDER THIS SUBTITLE FOR A SPECIAL EVENT”.

10

11 On page 2, in line 24, strike “SIDEWALK;”.

12

13 On page 2, in line 28, strike “(C)” and substitute “(B)” and, in the same line, strike “UNLESS A  
14 PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE” and substitute “A”.

15

16 On page 2, in line 29, strike “NOT ALLOW OR CAUSE” and substitute “OBTAIN A PERMIT UNDER THIS  
17 SUBTITLE FOR”.

18

19 On page 2, after line 30, insert:

20 “(C) PARK PROPERTY. SPECIAL EVENTS AND CONCERTS THAT OCCUR ON PARK PROPERTY SHALL BE  
21 SUBJECT TO TITLE 19 OF THIS CODE.”.



Amendment 4 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 4

*(This amendment adds a waiver of the requirement to submit an application within a certain time.)*

1 On page 3, in line 8, strike “BE” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS  
2 SECTION, BE”.

3

4 On page 5, after line 22, insert:

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

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

10 (2) THE SPECIAL EVENT OR CONCERT IS A SPONTANEOUS RESPONSE TO A CURRENT  
11 EVENT.”.

Amendment 6 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 6

*(This amendment clarifies certain criteria upon which the County can grant or deny an application.)*

1 On page 6, in line 17, after "SITUATIONS" insert "BASED ON THE HOWARD COUNTY BUILDING CODE  
2 AND THE HOWARD COUNTY FIRE PREVENTION CODE".

3  
4 On page 6, strike line 18, and substitute:

5 "(10) THE PROCEDURE FOR LITTER CONTROL IS INADEQUATE WHEN CONSIDERING:

6 (I) THE NUMBER AND SIZE OF CONTAINERS PROPOSED FOR THE SPECIAL EVENT  
7 OR CONCERT;

8 (II) WHETHER THE CONTAINERS ARE PROPOSED TO BE CONVENIENTLY PLACED,  
9 EMPTIED PERIODICALLY WHEN FULL, AND REMOVED FROM THE SITE AT THE  
10 END OF THE SPECIAL EVENT OR CONCERT;

11 (III) THE PROCESS FOR LITTER PICKUP FOR TRASH NOT PLACED IN CONTAINERS  
12 WITHIN THE PERIMETER OF THE SPECIAL EVENT OR CONCERT; AND

13 (IV) WHETHER THE COLLECTION OF RECYCLABLES IS INADEQUATE BASED ON  
14 SECTION 18.612 OF THE HOWARD COUNTY CODE;".



Amendment 1 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1

*(This amendment adds a definition for "multiple-day event" and clarifies certain provisions related to multiple-day events.)*

1 On page 1, after line 29, insert:

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

3

4 On page 2, in line 1, strike "(E)" and substitute "(F)"; in line 4, strike "(F)" and substitute "(G)"; in  
5 line 7, strike "(G)" and substitute "(H)"; in line 10, strike "(H)" and substitute "(I)"; in line 12, strike  
6 "(I)" and substitute "(J)"; in line 13, strike "(J)" and substitute "(K)"; in line 15, strike "(K)" and  
7 substitute "(L)"; and, in line 17, strike "(L)" and substitute "(M)".

8

9 On page 3, in line 3, strike "THAT OCCURS ON CONSECUTIVE DAYS".

10

11 On page 8, after line 10, insert:

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





Amendment 1 to Amendment No. 2 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 2

*(This amendment clarifies that a concert is to view live performance.)*

- 1 In the description of the amendment, insert a second sentence as follows:
- 2 “This amendment also clarifies that a concert is to view a live performance.”.
- 3
- 4 On page 1, before line 1, insert:
- 5 “On page 1, in line 28, before “PERFORMANCE”, insert “LIVE.”



Amendment 2 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 2

*(This amendment makes the following changes to the definition section:*

- 1. Amends the definition of parade to clarify that a parade can only occur on a public street;*
- 2. Clarifies the definition of person to include "government";*
- 3. Clarifies the definition of promoter;*
- 4. Clarifies that a public assembly includes expressive activity.)*

1 On page 2, in line 9, strike “, SIDEWALK, ALLEY OR OTHER PUBLIC PLACE”.

2

3 On page 2, in line 11, after “PROMOTER,” insert “GOVERNMENT,”.

4

5 On page 2, in line 14, strike “THE EVENT” and substitute “THE SPECIAL EVENT OR CONCERT”.

6

7 On page 2, in line 16, after “ACTIVITY” insert “OR EXPRESSIVE ACTIVITY”.



Amendment 1 to Amendment No. 3 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 3

*(This amendment removes other references to sidewalks.)*

1 On page 1, after line 21, insert:

2 “On page 8, in line 14, strike “STREET, HIGHWAY, OR”.

3

4 On page 8, in line 15, strike “SIDEWALK” and substitute “STREET OR HIGHWAY”.

5

6 On page 8, in line 17, strike “STREET, HIGHWAY, OR”.

7

8 On page 8, in line 18, strike “SIDEWALK” and substitute “STREET OR HIGHWAY”.



Amendment 3 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 3

*(This amendment:*

- 1. Clarifies the conduct for which the permit requirement applies;*
- 2. Removes the permit requirement for special events that may occur on a sidewalk; and*
- 3. Clarifies that special events and concerts that occur on park property are subject to a specific Title of the County Code.)*

1 On page 2, in line 19, strike “**APPLICABILITY;**”.

2

3 On page 2, strike lines 20 and 21 in their entirety.

4

5 On page 2, in line 22, strike “(B)” and substitute “(A)” and, in the same line, strike “UNLESS A  
6 PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE” and substitute “A”.

7

8 On page 2, in line 23, strike “NOT CAUSE A SPECIAL EVENT TO OCCUR” and substitute “OBTAIN A  
9 PERMIT UNDER THIS SUBTITLE FOR A SPECIAL EVENT”.

10

11 On page 2, in line 24, strike “SIDEWALK,”.

12

13 On page 2, in line 28, strike “(C)” and substitute “(B)” and, in the same line, strike “UNLESS A  
14 PERSON OBTAINS A PERMIT UNDER THIS SUBTITLE, THE” and substitute “A”.

15

16 On page 2, in line 29, strike “NOT ALLOW OR CAUSE” and substitute “OBTAIN A PERMIT UNDER THIS  
17 SUBTITLE FOR”.

18

19 On page 2, after line 30, insert:

20 “(C) PARK PROPERTY. SPECIAL EVENTS AND CONCERTS THAT OCCUR ON PARK PROPERTY SHALL BE  
21 SUBJECT TO TITLE 19 OF THIS CODE.”.





Amendment 1 to Amendment No. 4 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 1 to Amendment No. 4

*(Related to applications, this amendment makes changes to the parking information required to be provided with the application for a concert and clarifies that the priority of applications applies to applications for special event permits.)*

1 In the description of the amendment, after “time” insert “,amends the requirements for concert  
2 applications and amends the priority of applications”.

3

4 On page 1, in line 3, insert:

5 “On page 4, in line 11, strike “AND”.”

6

7 On page 4, in line 12, strike “EVIDENCE OF AGREEMENTS WITH EACH OWNER” and substitute

8 “DOCUMENTED APPROVAL OR OTHER SIMILAR PROOF WITH EACH OWNER OR OWNER’S AGENT”.

9

10 On page 4, after line 14, insert:

11 “E. THE NUMBER OF SPACES AND LOCATION OF ACCESSIBLE PARKING; AND”.

12

13 On page 4, strike lines 23 and 24 in their entirety.

14

15 On page 4, strike lines 25 through 27, inclusive and in their entirety and substitute:

16 “(II) OF THE OFF-PREMISES PARKING LISTED IN ITEM (C)(4)(II)D. OF THIS SUBSECTION, A LIST OF

17 WHICH OFF-PREMISES PARKING WILL BE USED FOR THE CONCERT;

18 (III) WHETHER THERE ARE ANY AVAILABLE OFF-PREMISES LOTS THAT ARE NOT LISTED IN ITEM

19 (C)(4)(II)D. AND FOR SUCH LOTS, DOCUMENTED APPROVAL OR OTHER SIMILAR PROOF WITH

20 THE OWNER OR OWNER’S AGENT THAT THE OFF-PREMISES PARKING IS AVAILABLE TO SERVE

21 THE CONCERT; AND”

22

1 On page 4, strike line 30.

2

3 On page 5, in line 18, after “*PRIORITY OF APPLICATIONS*” insert “*FOR SPECIAL EVENTS*” and, in

4 the same line, before “SHALL” insert “FOR SPECIAL EVENTS”.”.

Amendment 4 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 4

*(This amendment adds a waiver of the requirement to submit an application within a certain time.)*

1 On page 3, in line 8, strike “BE” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (G) OF THIS  
2 SECTION, BE”.

3

4 On page 5, after line 22, insert:

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

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

10 (2) THE SPECIAL EVENT OR CONCERT IS A SPONTANEOUS RESPONSE TO A CURRENT  
11 EVENT.”



Amendment 5 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 5

*(This amendment makes the following corrections:*

- 1. Removes certain redundant language;*
- 2. Corrects a typographical error in a reference to State law;*
- 3. Makes certain technical corrections; and*
- 4. Ensures consistent terminology by changing certain references to Department to be County.)*

1 On page 3, in line 21, strike “OF A SPECIAL EVENT OR CONCERT”.

2

3 Strike “12-1211” and substitute “21-1211” in the following instances:

4 • On page 5, in line 3; and

5 • On page 7, in line 2.

6

7 On page 4, in line 19, strike “, IF ANY”.

8

9 On page 5, in line 25, strike “PERMIT” and substitute “APPLICATION”.

10

11 On page 5, in line 27, strike “GRANT THE APPLICATION” and substitute “ISSUE THE PERMIT”.

12

13 On page 5, in line 31, strike “AN EVENT OR ACTIVITY” and substitute “A SPECIAL EVENT OR  
14 CONCERT”.

15

16 On page 6, in line 2, strike “OR ON BEHALF OF”.

17

18 On page 8, in line 3, after “APPLICATION”, insert “FEE”.

19

20 On page 8, in line 24, after “FEET” insert “WIDE”.

21

1 Strike "DEPARTMENT" and substitute "COUNTY" in the following instances:

- 2 • On page 5, in lines 19 and 20;
- 3 • On page 6, in line 27, in both instances;
- 4 • On page 8, in line 26; and
- 5 • On page 9, in lines 6, 14, and 17.

Amendment 1 to Amendment No. 6 to Council Bill No. 12-2018

BY: Mary Kay Sigaty

Legislative Day No. 3

Date: March 5, 2018

Amendment No. 1 to Amendment No. 6

*(This amendment adds a reason for which a permit can be cancelled and clarifies that a permit is void when an event is cancelled.)*

1 In the description of the amendment, after “*application*” insert “*or permit and clarifies that a*  
2 *permit is void if it is cancelled*”.

3

4 On page 1, after line 14, insert:

5 “On page 7, in line 10, strike “OR”.”

6

7 On page 7, in line 13, strike “SOUGHT.” and substitute “SOUGHT; OR”.

8

9 On page 7, after line 13, insert:

10 “(3) NOTWITHSTANDING ANY AGREEMENT RELATING TO THE USE OF PROPERTY  
11 BETWEEN AN APPLICANT AND ANOTHER PARTY, A PERMIT SHALL BE CANCELLED IF  
12 THE APPLICANT DOES NOT HAVE THE AUTHORITY TO USE THE PROPERTY UPON  
13 WHICH THE SPECIAL EVENT OR CONCERT IS LOCATED.”.

14

15 On page 7, after line 19, insert:

16 “(F) *CANCELED EVENT*. AN ISSUED PERMIT BECOMES VOID IF AN EVENT IS CANCELLED.”.”





Amendment 6 to Council Bill No. 12-2018

BY: The Chairperson at the  
request of the County Executive

Legislative Day No. 3  
Date: March 5, 2018

Amendment No. 6

*(This amendment clarifies certain criteria upon which the County can grant or deny an application.)*

1 On page 6, in line 17, after "SITUATIONS" insert "BASED ON THE HOWARD COUNTY BUILDING CODE  
2 AND THE HOWARD COUNTY FIRE PREVENTION CODE".

3

4 On page 6, strike line 18, and substitute:

5 "(10) THE PROCEDURE FOR LITTER CONTROL IS INADEQUATE WHEN CONSIDERING:

6 (I) THE NUMBER AND SIZE OF CONTAINERS PROPOSED FOR THE SPECIAL EVENT  
7 OR CONCERT;

8 (II) WHETHER THE CONTAINERS ARE PROPOSED TO BE CONVENIENTLY PLACED,  
9 EMPTIED PERIODICALLY WHEN FULL, AND REMOVED FROM THE SITE AT THE  
10 END OF THE SPECIAL EVENT OR CONCERT;

11 (III) THE PROCESS FOR LITTER PICKUP FOR TRASH NOT PLACED IN CONTAINERS  
12 WITHIN THE PERIMETER OF THE SPECIAL EVENT OR CONCERT; AND

13 (IV) WHETHER THE COLLECTION OF RECYCLABLES IS INADEQUATE BASED ON  
14 SECTION 18.612 OF THE HOWARD COUNTY CODE;".



MEMORANDUM

February 19, 2018

MEMO TO: Council Members  
FROM: Craig Glendenning  
County Auditor  
SUBJECT: Council Bill 12-2018

**Background:**

This bill would establish a Special Event and Concert Permit and related application fees. During his annual presentation to the Spending Affordability Committee, the Police Chief consistently emphasized the drain on his resources resulting from overtime costs at special events. In 2016, our office performed an audit of Police and Fire overtime.

Among other findings, we found that the Police and Fire Departments were inconsistent in determining when to seek reimbursement for staffing resources provided to private entities. The County received the following reimbursements for Police Services:

Entity	FY15	FY16	FY17	Total
Bethel Korean Presbyterian Church	5,690	6,631	6,330	18,651
Dar Al-Taqwa Mosque	12,097	16,363	13,564	42,024
Foot Locker	319	-	-	319
Grace Community Church	5,980	6,717	9,322	22,019
Howard County Library System	37,379	48,787	56,333	142,499
Temple Isaiah	876	1,550	1,550	3,976
The Mall in Columbia	68,692	62,351	70,830	201,873
Washington Blvd Market Place	55,261	60,542	58,809	174,612
<b>Grand Total</b>	<b>186,294</b>	<b>202,941</b>	<b>216,738</b>	<b>605,973</b>

Because of the findings in our audit, we recommended that the Police and Fire Departments consider legislation and/or developing and implementing a formal written policy to recover costs associated with providing resources for special events. This legislation is attempting to do that.

Below is the count and cost of Special Events reported by the Police Department and the Police and Fire Department's 4-year trend of combined event staff costs:

FY	Merriweather		Other Special Events		Totals	
	# of Events	Cost	# of Events	Cost	# of Events	Cost
*2017	44	\$ 796,456	226	\$ 609,534	270	\$ 1,405,990
2016	32	704,333	183	581,213	215	1,285,546
2015	32	746,112	169	458,534	201	1,204,646
2014	29	573,003	173	373,099	202	946,102
	<b>137</b>	<b>\$ 2,819,904</b>	<b>751</b>	<b>\$ 2,022,380</b>	<b>888</b>	<b>\$ 4,842,284</b>

\*FY17 Costs for the Fire Department were not available for inclusion in this table.

### **Fiscal Impact:**

According to the bill, *“The permit holder is responsible for salaries, expenses, worker’s compensation insurance, liability insurance, and taxes due to any employees or owed to any government agency on the permit holder’s behalf.”*

Although the legislation requires the permit holder to make the County whole, and the cost to police the events is likely to increase, the fiscal impact of this legislation cannot be determined for the following reasons:

- According to the Administration, the legislation’s intent is to cover a portion of event staffing costs. They stated that it is difficult to determine what portion of staffing costs the fee will cover.
- The fee schedule has not been formulated, and the Administration stated that they will be submitting the Permit Fee schedule during the upcoming budget process.
- The burden on non-profits may be reduced if Permit Fees are only assessed if they exceed \$1,500.

The Administration also stated that they are considering offsetting the fees assessed to some entities by a portion of the Admission and Amusement tax paid. It is a revenue source collected for general fund coffers with no explicit purpose. There is currently no other tax or fee abatement provided due to the payment of this tax.

Historically, the Admission and Amusement tax has been collected as follows:

FY	Merriweather	Toby's Theatre	Motion Pictures	Other A&A Rev	Total
2017	754,055	206,405	942,696	1,012,177	2,915,333
2016	742,066	182,570	856,785	955,401	2,736,822
2015	868,212	167,131	866,746	1,084,383	2,986,472
2014	699,212	155,344	1,002,885	852,828	2,710,269
<b>Total</b>	<b>\$ 3,063,545</b>	<b>\$ 711,450</b>	<b>\$ 3,669,112</b>	<b>\$ 3,904,789</b>	<b>\$11,348,896</b>

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.

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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