

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

April 5, 2012

The Honorable President and
Members of the City Council
City Hall

Re: City Council Bill #11-0004 – Late Night Commercial Operations

Ladies and Gentlemen:

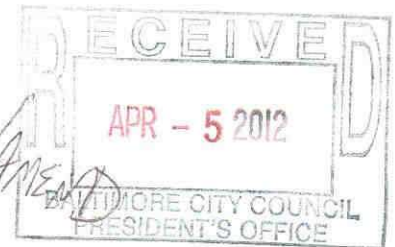
City Council Bill #11-0004 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of this legislation is to require certain late-night commercial operations to be licensed: defining certain terms; imposing certain penalties; providing for a special effective date; and generally relating to licensing and regulation of late-night commercial operations.

City Council Bill No. 11-0004 establishes a licensing requirement for late night businesses in the R, OR, B-1 & B-2 Zoning Districts. No business may be open to the public between the hours of midnight and 6 A.M. without having first obtained a late night operations license. This legislation establishes procedures that require The Board to notify applicants if a license is granted or denied even if no hearing is required. In addition, the Bill provides the Board the authority to impose fines instead of or in addition to suspending or revoking a license. The Board is concerned that this Bill required the Board to become a regulatory agency with enforcement capabilities and duties. The Board is not structured nor does it have the resources to provide that service.

The Board of Municipal and Zoning Appeals, has reviewed this legislation, and respectfully recommends that the Bill be amended to limit the Board responsibility to review of, on appeal, the licensing agency's acts and rulings only.

Thank you for your time and consideration of this very important legislation.



Sincerely,

A handwritten signature in black ink, appearing to read "David C. Tanner". The signature is fluid and cursive, with a prominent initial "D".

David C. Tanner
Executive Director

DCT/lag
Cc. Mayors Office of Council Relations
Legislative Reference