

**CITY OF BALTIMORE
COUNCIL BILL 08-0249
(First Reader)**

Introduced by: Councilmembers Kraft, Henry, D'Adamo
Introduced and read first time: December 4, 2008
Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Police Ordinances – National Anthem**

3 FOR the purpose of repealing provisions purporting to regulate the playing, singing, or rendering
4 of the Star-Spangled Banner.

5 BY repealing

6 Article 19 - Police Ordinances
7 Subtitle 49, in its entirety
8 Baltimore City Code
9 (Edition 2000)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
11 Laws of Baltimore City read as follows:

12 **Baltimore City Code**

13 **Article 19. Police Ordinances**

14 **[Subtitle 49. Star-Spangled Banner]**

15 **[§ 49-1. To be performed as entirety.**

16 (a) *In general.*

17 “The Star-Spangled Banner” shall not be played, sung or rendered in the City of
18 Baltimore in any public place, or at any public entertainment, or in any theatre or moving
19 picture hall, restaurant, or cafe, except as an entire and separate composition or number,
20 without embellishments of national or other melodies.

21 (b) *Use in medley prohibited.*

22 Nor shall “The Star-Spangled Banner” or any part thereof or selection from the same be
23 played as a part or selection of a medley of any kind.]

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 **[§ 49-2. Use for dancing or exit march prohibited.]**

2 Nor shall “The Star-Spangled Banner” be played at or in any of the places mentioned for
3 dancing or as an exit march.]

4 **[§ 49-3. Performers, etc., to stand.]**

5 And whenever and wherever practicable, the musicians, performers, or other persons shall
6 stand while playing, singing, or rendering “The Star-Spangled Banner”.]

7 **[§ 49-4. Proprietor responsible.]**

8 No owner, proprietor, or manager of any theatre, moving picture hall, or restaurant, cafe or
9 other place in the City of Baltimore where the public gathers shall permit or allow anyone
10 playing, singing, or performing therein to play, sing, or render “The Star-Spangled Banner”
11 in violation of the provisions of this subtitle, and in the event of any such permission or
12 allowance, such owner, proprietor, or manager, upon conviction thereof, shall be subject to
13 the penalties imposed by § 49-6 of this subtitle.]

14 **[§ 49-5. {Reserved}]**

15 **[§ 49-6. Penalties.]**

16 Any person violating the provisions of this subtitle shall be guilty of a misdemeanor and,
17 upon conviction thereof before a Court of competent jurisdiction of this State, shall be fined
18 not more than \$100.]

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
20 are not law and may not be considered to have been enacted as a part of this or any prior
21 Ordinance.

22 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
23 after the date it is enacted.