



**BALTIMORE  
HOUSING**

SHEILA DIXON  
Mayor

PAUL T. GRAZIANO  
Executive Director, HABCD  
Commissioner, HCD

## MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Karen Randle, Executive Secretary

From: Paul T. Graziano, Commissioner

Date: December 22, 2008

Re: **City Council Bill 08-0112 Late-Night Commercial Operations - Licensing**

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The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 08-0112, which was introduced for the purpose of requiring certain late-night commercial operations to be licensed; defining certain terms; imposing certain penalties; providing for a special effective date; and generally relating to the licensing and regulation of late-night commercial operations.

The proposed legislation would require businesses to obtain a late-night operations license in order to operate between the hours of midnight and 6 A.M. within any residential zoning district, office-residence zoning district, B-1 or B-2 Business zoning district. The bill creates exceptions from the licensing requirement for pharmacies, emergency medical or veterinary care facilities, and gas stations. Additionally, restaurants or taverns that are already authorized for later hours by the liquor board would be except from obtaining this license as well.

DHCD recognizes that this license could give neighborhoods an administrative mechanism to hold adjacent businesses accountable for possible nuisances created by late-night operations such as noise, traffic, and trash. However, we are concerned that the Board of Municipals and Zoning Appeals and its peer agencies lack the personnel and the resources to administer this new licensing regime. Should the legislation become law, we recommend that any license fees are sufficient to cover the personnel and administrative costs generated by this new requirement. Further, any license deadlines should be phased-in so as to afford the administering agency the time to manage the immediate demand to process applications.

The Department of Housing and Community has no objection to the adoption of City Council Bill 08-0112 but defers to the Board of Municipal and Zoning Appeals for further comment.

PTG:pmd

cc: Ms. Angela Gibson  
Mr. Demaune Millard  
Mr. Andrew Frank

