CITY OF BALTIMORE ORDINANCE _____ Council Bill 05-0256

Introduced by: Councilmembers Mitchell, Kraft, Curran, Conaway
Introduced and read first time: September 19, 2005

Assigned to: Judiciary and Legislative Investigations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: February 27, 2006

AN ORDINANCE CONCERNING

1	Street Entertainers – Licensing	
2	For the purpose of modifying the number and composition of members on the Board of License	
3	for Street Entertainers; adding additional examples to the list of entertainers subject to the	
4	law; abolishing the requirement for an annual license fee; correcting certain typographical	
5	errors; and generally relating to the licensing and regulation of street entertainers.	
6	By repealing and reordaining, with amendments	
7	Article 15 - Licensing and Regulation	
8	Section(s) 15-1(g), 15-4(b), 15-12(b), 15-13, and 15-14(b) and (d)	
9	Baltimore City Code	
10	(Edition 2000)	
11	By repealing	
12	Article 15 - Licensing and Regulation	
13	Section(s) 15-1(c)	
14	Baltimore City Code	
15	(Edition 2000)	
16	By adding	
17	Article 15 - Licensing and Regulation	
18	Section(s) 15-15	
19	Baltimore City Code	
20	(Edition 2000)	
21	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the	
22	Laws of Baltimore City read as follows:	
23	Baltimore City Code	

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Article 15. Licensing and Regulation

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Subtitle 15. Street Entertainers

2	§ 15-1. Definitions.
3	[(c) Downtown area.
4	"Downtown area" means:
5 6 7 8 9 10 11 12 13 14 15 16 17	the area beginning at a point of intersection at the northwest corner of W. Pratt Street and Martin Luther King, Jr. Boulevard; binding on the west side of Martin Luther King, Jr. Boulevard and running in a northerly direction to a point of intersection with the north side of W. Franklin Street; then running easterly along W. Franklin Street to the northeast corner of W. Franklin and N. Paca Streets; binding on the west side of N. Paca Street running northerly to the northwest corner of Druid Hill Avenue and N. Paca Street; then binding on the northern right-of-way line of Druid Hill Avenue running easterly crossing N. Eutaw Street in a straight line and continuing along the northern right-of-way line of Centre Street easterly to intersect the eastern right-of-way line of the Fallsway; then binding on the eastern right-of-way line of the Fallsway running southerly to intersect the southern curbline of E. Fayette Street following the southern right-of-way of E. Fayette Street to the westerly right-of-way line of the Jones Falls Boulevard to intersect the southern right-of-way line of Pratt Street; then westerly to the point of beginning.]
18	(g) Street entertainer.
19	(1) In general.
20	"Street entertainer" means any person who, either alone or as part of a group:
21	(i) performs on the streets of this City; and

(ii) solicits, encourages, or accepts donations before, during, or after the

24 (2) *Illustrations*.

"Street entertainer" includes a:

performance.

26 (i) musician;

27 (ii) juggler;

28 (iii) mime;

29 (iv) puppeteer;

30 (v) unicyclist;

31 (vi) clown;

32 (vii) magician

1	(viii) sword swallower;
2	(ix) dancer;
3	(X) POET;
4	(XII) PERFORMANCE ARTIST; or
5	(XIII) [(x)] comedian.
6	§ 15-4. Board of Licenses established.
7	(b) Composition.
8	The Board comprises the following [9] 7 members:
9 10	(1) [4] 5 4 members appointed by the Mayor in accordance with City Charter Article IV, §6; AND
11	(2) 2 members appointed by the President of the City Council [; and
12	(3) the following or their respective designees:
13 14	(i) the Director of the Community Relations Commission <u>OR THE DIRECTOR'S DESIGNEE</u> [;
15	(ii) the Director of Finance; and
16	(iii) the Commissioner of Housing and Community Development].
17	§ 15-12. Applications.
18	(b) Application fee.
19 20	The application must be accompanied by a ONE-TIME, non-refundable application fee of \$25, to cover the cost of investigating and processing the application.
21	[§ 15-13. Annual fee.
22	(a) In general.
23	The annual fee for a license is as follows:
24	(1) in the downtown area $-$ \$75.
25	(2) in all other areas – \$50.
26	(b) Proration.
27 28	If the license is issued after June 30 of any calendar year, the initial license fee is ½ the annual fee.]

1	§ 15-13. TERM, RENEWAL, FEES.	
2	(A) TERM.	
3	Unless renewed, a license expires on the 1^{st} anniversary of its effective date.	
4	(B) RENEWAL.	
5 6 7	Before a license expires, a licensee may renew it for an additional 1-year term, if the licensee submits to the Board a renewal application in the form the Board requires.	
8	(C) FEES.	
9 10	(1) EXCEPT AS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION, NO FEE MAY BE IMPOSED FOR THE TIMELY RENEWAL OF A LICENSE.	
11 12 13	(2) If a licensee seeks to modify the terms of her or his license (e.g., location or type of entertainment), the renewal application must be accompanied by a one-time, non-refundable application fee of \$25.	
14	§ 15-14. Entertainer identification.	
15	(b) Form and contents.	
16	The identification badge:	
17	(1) shall be of laminated plastic or other durable substance; and	
18	(2) shall bear:	
19	(i) the name and address of the licensee;	
20	(ii) the type of entertainment for which the license is issued;	
21	(iii) the location or area for which the license is issued;	
22	(iv) the days or times to which the license is limited;	
23	(v) the year for which the license is issued; and	
24 25	(vi) an identifying number [the] THAT corresponds with the number of the license.	
26	(d) Replacement badges.	
27 28	If a badge is lost, the [director] BOARD shall issue a replacement badge on payment by the licensee of a \$10 fee.	

<u>§ 15-15. BOPA to assist.</u>	
THE BALTIMORE OFFICE OF PROMOTION AND TH	IE ARTS SHALL ASSIST THE BOARD BY:
(1) ADVERTISING AND PROMOTING THE AVAI $\underline{\text{AND}}$	LABILITY OF LICENSES UNDER THIS SUBTITLE;
(2) DISTRIBUTING TO LICENSEES THE LICENSES SUBTITLE.	ES AND BADGES ISSUED UNDER THIS
SECTION 2. AND BE IT FURTHER ORDAINED, The are not law and may not be considered to have been Ordinance.	
SECTION 3. AND BE IT FURTHER ORDAINED, The after the date it is enacted.	hat this Ordinance takes effect on the 30 th day
Certified as duly passed this day of	, 20
-	President, Baltimore City Council
Certified as duly delivered to His Honor, the Mayor	,
this, 20	
-	Chief Clerk
Approved this day of, 20	-
-	Mayor, Baltimore City