

**CITY OF BALTIMORE
COUNCIL BILL 05-0256
(First Reader)**

Introduced by: Councilmembers Mitchell, Kraft, Curran, Conaway

Introduced and read first time: September 19, 2005

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Department of Housing and Community Development, Community Relations Commission, Environmental Control Board, Department of Finance, Baltimore City Parking Authority, Department of Transportation, Downtown Partnership, Mayor's Office on Arts and Culture

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Street Entertainers – Licensing**

3 FOR the purpose of modifying the number and composition of members on the Board of License
4 for Street Entertainers; adding additional examples to the list of entertainers subject to the
5 law; abolishing the requirement for an annual license fee; correcting certain typographical
6 errors; and generally relating to the licensing and regulation of street entertainers.

7 BY repealing and reordaining, with amendments

8 Article 15 - Licensing and Regulation

9 Section(s) 15-1(g), 15-4(b), 15-12(b), 15-13, and 15-14(b) and (d)

10 Baltimore City Code

11 (Edition 2000)

12 BY repealing

13 Article 15 - Licensing and Regulation

14 Section(s) 15-1(c)

15 Baltimore City Code

16 (Edition 2000)

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

19 **Baltimore City Code**

20 **Article 15. Licensing and Regulation**

21 **Subtitle 15. Street Entertainers**

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

1 **§ 15-1. Definitions.**

2 [(c) *Downtown area.*

3 “Downtown area” means:

4 the area beginning at a point of intersection at the northwest corner of W. Pratt Street and
5 Martin Luther King, Jr. Boulevard; binding on the west side of Martin Luther King, Jr.
6 Boulevard and running in a northerly direction to a point of intersection with the north side of
7 W. Franklin Street; then running easterly along W. Franklin Street to the northeast corner of
8 W. Franklin and N. Paca Streets; binding on the west side of N. Paca Street running northerly
9 to the northwest corner of Druid Hill Avenue and N. Paca Street; then binding on the
10 northern right-of-way line of Druid Hill Avenue running easterly crossing N. Eutaw Street in
11 a straight line and continuing along the northern right-of-way line of Centre Street easterly to
12 intersect the eastern right-of-way line of the Fallsway; then binding on the eastern
13 right-of-way line of the Fallsway running southerly to intersect the southern curblineline of E.
14 Fayette Street following the southern right-of-way of E. Fayette Street to the westerly
15 right-of-way line of the Jones Falls Boulevard to intersect the southern right-of-way line of
16 Pratt Street; then westerly to the point of beginning.]

17 (g) *Street entertainer.*

18 (1) *In general.*

19 “Street entertainer” means any person who, either alone or as part of a group:

20 (i) performs on the streets of this City; and

21 (ii) solicits, encourages, or accepts donations before, during, or after the
22 performance.

23 (2) *Illustrations.*

24 “Street entertainer” includes a:

25 (i) musician;

26 (ii) juggler;

27 (iii) mime;

28 (iv) puppeteer;

29 (v) unicyclist;

30 (vi) clown;

31 (vii) magician

32 (viii) sword swallower;

33 (ix) dancer;

1 (X) POET;

2 (XII) PERFORMANCE ARTIST; or

3 (XIII) [(x)] comedian.

4 **§ 15-4. Board of Licenses established.**

5 (b) *Composition.*

6 The Board comprises the following [9] 7 members:

7 (1) [4] 5 members appointed by the Mayor in accordance with City Charter
8 Article IV, §6; AND

9 (2) 2 members appointed by the President of the City Council[; and

10 (3) the following or their respective designees:

11 (i) the Director of the Community Relations Commission;

12 (ii) the Director of Finance; and

13 (iii) the Commissioner of Housing and Community Development].

14 **§ 15-12. Applications.**

15 (b) *Application fee.*

16 The application must be accompanied by a ONE-TIME, non-refundable application fee of
17 \$25, to cover the cost of investigating and processing the application.

18 **[§ 15-13. Annual fee.**

19 (a) *In general.*

20 The annual fee for a license is as follows:

21 (1) in the downtown area – \$75.

22 (2) in all other areas – \$50.

23 (b) *Proration.*

24 If the license is issued after June 30 of any calendar year, the initial license fee is ½ the
25 annual fee.]

1 **§ 15-13. TERM, RENEWAL, FEES.**

2 (A) *TERM.*

3 UNLESS RENEWED, A LICENSE EXPIRES ON THE 1ST ANNIVERSARY OF ITS EFFECTIVE DATE.

4 (B) *RENEWAL.*

5 BEFORE A LICENSE EXPIRES, A LICENSEE MAY RENEW IT FOR AN ADDITIONAL 1-YEAR
6 TERM, IF THE LICENSEE SUBMITS TO THE BOARD A RENEWAL APPLICATION IN THE FORM
7 THE BOARD REQUIRES.

8 (C) *FEES.*

9 (1) EXCEPT AS SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION, NO FEE MAY BE
10 IMPOSED FOR THE TIMELY RENEWAL OF A LICENSE.

11 (2) IF A LICENSEE SEEKS TO MODIFY THE TERMS OF HER OR HIS LICENSE (E.G., LOCATION
12 OR TYPE OF ENTERTAINMENT), THE RENEWAL APPLICATION MUST BE ACCOMPANIED BY
13 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 (vi) an identifying number [the] THAT corresponds with the number of the
25 license.

26 (d) *Replacement badges.*

27 If a badge is lost, the [director] BOARD shall issue a replacement badge on payment by
28 the licensee of a \$10 fee.

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

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