

1 **..Title**  
2 **Temporary Class C Alcoholic Beverage License - Theaters** – For the purpose of  
3 establishing criteria for the issuance of a Temporary Class C Alcoholic Beverage License  
4 to Theaters.

5 **..Body**

6 **CITY COUNCIL OF THE**  
7 *City of Annapolis*

8  
9 **Ordinance O-46-17**

10  
11 **Introduced by: Mayor Pantelides**

12  
13 **Referred to**  
14 **Alcoholic Beverage Control Board**  
15 **Economic Matters Committee**  
16 **Finance Committee**

17  
18 **AN ORDINANCE** concerning

19  
20 **Temporary Class C Alcoholic Beverage License - Theaters**

21  
22 **FOR** the purpose of establishing criteria for the issuance of a Temporary Class C  
23 Alcoholic Beverage License to Theaters

24  
25 **BY** repealing and re-enacting with amendments the following portions of the Code of  
26 the City of Annapolis, 2017 Edition  
27 7.12.330

28  
29  
30 **WHEREAS**, pursuant to Section 6.16.010 and Section 6.16.050, respectively, the  
31 proposed annual budget and schedule of fees was approved by the Mayor  
32 and City Council effective July 1, 2017; and

33  
34 **WHEREAS**, it is not economically viable for a club that is also a 501(c)(3) organization  
35 that presents performances in small theaters to pay the current fee pursuant  
36 to Section 7.12.330; and

37  
38 **WHEREAS**, other Maryland jurisdictions have established a less costly alcoholic  
39 beverage license fee for small theater performances presented by a club that  
40 is also a 501(c)(3) organization; and

41

1 **WHEREAS**, the Mayor and City Council have authority to set fees for a one-day  
2 alcoholic beverage license as part of the budget; and  
3

4 **WHEREAS**, the Mayor has introduced a companion Resolution 30-17 to amend the fee  
5 schedule to establish a fee for a Temporary Class C Alcoholic Beverage  
6 License to Theaters; and  
7

8 **WHEREAS**, criteria must be established for eligibility for paying the new fee for a  
9 Temporary Class C Alcoholic Beverage License to Theaters.  
10

11 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**  
12 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as  
13 follows:  
14

15 **TITLE 7 – BUSINESS LICENSES, TAXES AND REGULATIONS**  
16

17 **Chapter 7.12 - ALCOHOLIC BEVERAGES**  
18

19 **Section 7.12.330 - Temporary special class C license to clubs.**  
20

- 21 A. All clubs which do not hold a one-year alcoholic beverage license as set forth in this chapter  
22 shall not sell, raffle or award by lottery any alcoholic beverage except after application for  
23 and receipt of a special license, class C, for the sale or awarding of beer or beer, wine and  
24 liquor in conjunction with any bona fide entertainment conducted by any club at the place  
25 described in the license.  
26
- 27 B. A special beer license, class C, or special beer, wine and liquor license, class C, entitles the  
28 licensee to exercise the privileges of a one-year class C license for a period not exceeding  
29 seven consecutive days, upon payment of a special beer license fee or of a special beer, wine  
30 and liquor license fee as established by resolution of the City Council.  
31
- 32 C. License applications under this section are expressly exempt from the provisions of Section  
33 7.12.190.  
34
- 35 D. The license provided for by this section shall be applied for and be issued to three of the  
36 officers of the club, as individuals.  
37
- 38 E. The City Clerk shall issue the special one-day license on behalf of the City in accordance  
39 with the established policy and laws. Any denial by the City Clerk of the issuance of the  
40 special license may be appealed to the Alcoholic Beverage Control Board at its next  
41 meeting, and a hearing date shall be scheduled after that meeting.  
42

43 **F. TEMPORARY CLASS C ALCOHOLIC BEVERAGE LICENSE TO**  
44 **THEATERS.**  
45

- 1 1. PURSUANT TO THE AUTHORITY OF SECTION 6.16.050, A FEE SHALL BE  
2 ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL FOR A  
3 THEATER ALCOHOLIC BEVERAGE LICENSE ISSUED UNDER THIS  
4 PARAGRAPH. THE FEE SHALL BE ASSESSED TO A CLUB THAT IS  
5 ALSO A 501(C)(3) ORGANIZATION AS A PER DAY FEE WITH A  
6 MAXIMUM TOTAL ANNUAL AMOUNT OF \$100.00 FOR OBTAINING A  
7 ONE-DAY BEER, WINE AND LIQUOR LICENSE FOR EACH DAY THAT  
8 THE CLUB PRESENTS A THEATRICAL PERFORMANCE THAT  
9 COMPLIES WITH THIS SECTION.  
10
- 11 2. THE ONE-DAY THEATER ALCOHOLIC BEVERAGE LICENSE FEE MAY  
12 ONLY BE CHARGED IF THE CLUB IS ALSO A 501(C)(3) ORGANIZATION  
13 THAT IS PRESENTING PERFORMANCES OF PLAYS, ACTS, DRAMAS, OR  
14 HISTRIONICS BY LIVE ACTORS OR ACTRESSES PERFORMING ON A  
15 STAGE.  
16
- 17 3. THE LOCATION WHERE THE PERFORMANCE(S) SHALL BE  
18 CONDUCTED MUST HAVE SEATING FOR 200 OR FEWER INDIVIDUALS  
19 PER PERFORMANCE.  
20
- 21 4. HOURS OF SALE. SALE OF BEER, WINE, AND LIQUOR MAY ONLY BE  
22 CONSUMED AT THE PERFORMANCE LOCATION FROM ONE AND A  
23 HALF HOURS BEFORE TO ONE AND A HALF HOURS AFTER EITHER:  
24  
25 (A) A REGULAR PERFORMANCE; OR  
26 (B) A FUND-RAISER PERFORMANCE THAT BENEFITS THE CLUB THAT  
27 IS ALSO A 501(C)(3) ORGANIZATION; OR  
28 (C) DURING THE PERFORMANCE; OR  
29 (D) DURING A CAST PARTY AND RECEPTION BEFORE AND AFTER A  
30 PERFORMANCE.  
31
- 32 5. THE ELIGIBLE CLUB THAT IS ALSO A 501(C)(3) ORGANIZATION MAY  
33 OBTAIN ONE DAY LICENSES FOR EACH DAY OF THE PERFORMANCE  
34 FOR NO ADDITIONAL COST IF IT HAS PAID THE MAXIMUM \$100.00  
35 ANNUAL AMOUNT.  
36
- 37 6. THIS FEE SHALL BE SET FORTH IN THE FEES SCHEDULE AND IS  
38 SUBJECT TO AMENDMENT.  
39

40 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
41 **ANNAPOLIS CITY COUNCIL** that the City Council shall establish the license fee by  
42 resolution.  
43

1 **SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY**  
2 **THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from October  
3 9, 2017.  
4

5  
6 **EXPLANATION**

7 CAPITAL LETTERS indicate matter added to existing law.

8 ~~Strikethrough~~ indicates matter stricken from existing law.

9 Underlining indicates amendments.