

1 **..Title**

2 **ALCOHOLIC BEVERAGES – Doors, Entrances & Exits** – For the purpose of
3 removing the requirement that all licensed establishments must keep their doors,
4 entrances and exits closed at all times pursuant to Chapter 7.12 of the Annapolis City
5 Code.

6 **..Body**

7
8 **CITY COUNCIL OF THE**
9 **City of Annapolis**

10
11 **Ordinance 6-15**

12
13 **Sponsored by: Alderman Budge**

14
15 **Referred to**

16 Economic Matters Committee
17 Alcoholic Beverage Control Board

18
19 **An ORDINANCE** concerning

20
21 **ALCOHOLIC BEVERAGES – Doors, Entrances & Exits**

22
23 **FOR** the purpose of removing the requirement that all licensed establishments must
24 keep their doors, entrances and exits closed at all times pursuant to Chapter 7.12
25 of the Annapolis City Code.

26
27 **BY** repealing and re-enacting with amendments the following portions of the Code of
28 the City of Annapolis, 2013 Edition
29 Section 7.12.340.

30
31 **WHEREAS** On July 1, 2012, the State of Maryland passed an Act concerning the
32 operation of food service facilities with open outer windows and doors. Code,
33 Md. Code Ann., Health-Gen. § 21-324.1.

34
35 **WHEREAS** The law in Maryland concerning operation of food service facilities with
36 open outer windows and doors is that a food service facility may operate with the
37 outer windows or outer doors open unless, while the food service facility is
38 operating with the outer doors or outer windows open, the local health
39 department: (1) finds evidence of vermin in food preparation or food storage
40 areas; or (2) finds evidence of flying insects in food preparation or food storage
41 areas that pose a significant threat to sanitation or public health.

42
43 **WHEREAS** If a local health department finds that a food service facility is operating in
44 violation of this law, the food service facility shall take immediate action to
45 eliminate the vermin or flying insects.

46

1 **WHEREAS** A local health department is authorized to close a food service facility
2 found to be operating in violation of the law, or to order a temporary closure of
3 the outer windows and outer doors at the food service facility, until the vermin or
4 flying insects have been eliminated from the food preparation or food storage
5 areas.
6

7 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE**
8 **ANNAPOLIS CITY COUNCIL** that the Code of the City of Annapolis shall be
9 amended to read as follows:

10
11 **CHAPTER 7.12 – ALCOHOLIC BEVERAGES**

12
13 **7.12.340 – Music – ~~Exits~~Consumption on Premises – Dress codes.**

14
15 Each alcoholic beverage licensee shall observe the following rules:

- 16
17 A. All mechanical, electronic, live or other music within a licensed premises shall
18 cease fifteen minutes prior to the closing hour as designated for the class license
19 except that establishments holding class C and class F licenses shall cease no later
20 than two a.m.
21
22 B. Appropriate sound suppression techniques shall be employed to ensure that noise
23 or sounds of music originating within a structure are not audible off the premises
24 upon which the structure is located.
25
26 C. No mechanical, electronic, live or other music shall be played or performed on the
27 exterior portion of a licensed premises without the express approval of the
28 Alcoholic Beverage Control Board and except upon compliance with conditions
specified by the board.
29
30 D. An alcoholic beverage served within a structure on the licensed premises shall be
31 consumed solely within that structure. An alcoholic beverage served within an
32 approved exterior portion of the licensed premises shall be consumed solely
33 within the approved exterior portion of the licensed premises or within a structure
on the premises.
34
35 E. The use of all live music or entertainment shall be posted or listed with the City
36 Clerk; provided, that this rule does not apply to nonprofit organizations organized
37 and operated exclusively for educational, social, fraternal, charitable, civic,
political, patriotic or athletic purposes.
38
39 F. ~~All doors, entrances and exits must be closed at all times. This provision does not
apply to class A licenses.~~
40
41 G. All dress codes shall be posted.

42 **SECTION II: AND BE IT FURTHER ESTABLISHED AND**
43 **ORDAINED BY THE ANNAPOLIS CITY COUNCIL THAT THIS ORDINANCE**
44 **SHALL TAKE EFFECT FROM THE DATE OF ITS PASSAGE.**

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EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

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

Underlining indicates amendments