



City of Annapolis

160 Duke Of Gloucester
Street
Annapolis, MD 21401

Signature Copy

Ordinance: O-18-14

File Number: O-18-14

Admission and Amusement Taxes - For the purpose of codifying the City of Annapolis' laws related to the admission and amusement tax authorized by the Tax-General Article, § 4-102(c), of the Annotated Code of Maryland.

CITY COUNCIL OF THE City of Annapolis

Ordinance 18-14 Amended

Introduced by: Mayor Pantelides

**Referred to
Economic Matters**

A ORDINANCE concerning

Admission and Amusement Taxes

FOR the purpose of codifying the City of Annapolis' laws PREVIOUSLY ADOPTED LEGISLATION related to the admission and amusement tax authorized by the Tax-General Article, § 4-102(c), of the Annotated Code of Maryland.

BY adding the following portions to the Code of the City of Annapolis, 2012 Edition

Section 7.62.010

Section 7.62.020

Section 7.62.030

WHEREAS, the City Council adopted Resolution 24-82 on June 28, 1982 that levied an admissions and amusement tax at 10% and authorized the Comptroller of the Treasury of the State of Maryland to collect the tax on behalf of the City; and

WHEREAS, the City Council adopted Resolution 33-83 on June 13, 1983 that altered the rate of the tax levied for motion picture theaters to 7.5%; and

WHEREAS, the City Council adopted Resolution 9-85 on May 13, 1985 that exempted certain activities from the collection of admission and amusement taxes; and

WHEREAS, it is beneficial to now codify the City of Annapolis' laws related to the admission and amusement tax in Title 7 - Business Licenses, Taxes and Regulations.

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

CHAPTER 7.62 - ADMISSION AND AMUSEMENT TAXES

7.62.010 - Levied.

A. Pursuant to the authorization of the Tax-General Article, § 4-

102(c), of the Annotated Code of Maryland, a tax is imposed on the gross receipts derived from any admission and amusement charge as defined in Tax-General Article, § 4-101(b), of the Annotated Code of Maryland, at the rate of ten percent (10%), except as this rate may be limited under the Tax-General Article, § 4-105, of the Annotated Code of Maryland, and except for the following:

1. Gross receipts derived from a charge for admission to or use of a billiard parlor shall be taxed at the rate of three and one-half percent (3.5%);
2. Gross receipts derived from a charge for admission to any moving picture theater shall be taxed at the rate of seven and one-half percent (7.5%);
3. Gross receipts derived from the rental of recreational or sports equipment shall be taxed at the rate of five percent (5%); and
4. Gross receipts derived from sales of entertainment, which entertainment expressly does not include the sale, service, provision or delivery of any alcoholic beverages, shall be taxed at the rate of five percent (5%).

B. Pursuant to the authorization of the Tax-General Article, § 4-102(c), of the Annotated Code of Maryland, the following additional tax is imposed on reduced charges or free admissions as set forth in the Tax-General Article, § 4-105(f), of the Annotated Code of Maryland: 5 cents, if the charge for any other admission is 50 cents or less; 10 cents, if the charge for any other admission is more than 50 cents but does not exceed \$1.00; and 15 cents, if the charge for any other admission is more than \$1.00.

7.62.020 - Exemptions.

In addition to the exemptions provided in the Tax-General Article, § 4-103, of the Annotated Code of Maryland, the following are exempt from the admissions and amusement tax:

- A. the gross receipts derived from any charge for admission or for merchandise, refreshments, or a service, if the gross receipts are used exclusively for community or civic improvement by a not-for-profit community association that is organized and operated to promote the general welfare of the community that the association serves and the net earnings of which do not benefit any stockholder or member of the association; and
- B. the gross receipts derived from any charge for admission to a concert or theatrical event of a not-for-profit organization that is organized to present or offer any of the performing arts; and
- C. the gross receipts derived from any admissions or amusement charge levied by an arts and entertainment enterprise or qualifying residing artist in an arts and entertainment district, as those phrases are defined in the Economic Development Article, § 4-701, of the Annotated Code of Maryland.

7.62.030 - References to the annotated code of maryland.

The references in Chapter 7.62 to a section of the Annotated Code of Maryland shall mean that

section as may be amended from time to time.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.

EXPLANATION

CAPITAL LETTERS indicate matter added to existing law.

~~Strike through~~ indicates matter stricken from existing law.

Underlining indicates amendments.

Adopted
7/28/2014

THE ANNAPOLIS CITY Michael Pantelides
COUNCIL Mike Pantelides, Mayor

Date 9/29/14

ATTEST Regina C. Watkins-Eldridge
Regina C. Watkins-Eldridge, MMC,
City Clerk

Date 9/29/14