

**Regulation of Tours in Historic Annapolis**

For the purpose of regulating walking tours operated by tour companies in the Annapolis Historic District; requiring a City business license, and insurance coverage; ensuring the protection of historic buildings and spaces; requiring free-flow of pedestrian and vehicular traffic; and generally related to business licenses of tour operators in the City.

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 19-25**

**Introduced by: Alderman Huntley**

**Referred to:**

Economic Matters Committee

**AN ORDINANCE** concerning

**Regulation of Tours in Historic Annapolis**

**FOR** the purpose of regulating walking tours operated by tour companies in the Annapolis Historic District; requiring a City business license, and insurance coverage; ensuring the protection of historic buildings and spaces; requiring free-flow of pedestrian and vehicular traffic; and generally related to business licenses of tour operators in the City.

**BY** enacting with amendments the following portions of the Code of the City of Annapolis, 2024 Edition: **7.50**

**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:

**Title 7 - BUSINESS LICENSES, TAXES AND REGULATIONS**

**Chapter 7.50 - Tour Operators**

**Section 7.50.010 - Definitions.**

1. "Department" means the Department of Planning and Zoning.
2. "Director" means the Department of Planning and Zoning Director or their designee.
3. "Historic District" (also known as "District") means the area defined as the Annapolis Historic District in § 21.56.

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**Explanation:**    ~~Strikethrough~~ indicates matter stricken from existing law.  
                         Underlining indicates a change to the City Code.  
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4. "Tour" means a visit within city limits where the primary purpose is to see historic and architectural sites, cultural attractions, or scenic areas in the city.
5. "Tour operator" means any person duly licensed by the City to conduct one or more persons to any of the city's points of interest, historic buildings, parks, or sites, to explain, describe, or generally relate the facts of importance thereto.
6. "Walking tour" means any guided tour on foot, coordinated by a commercial tour operator using tour guides and tour leaders that involves groups of people walking through the Historic District on city streets, sidewalks, rights-of-way, or other public property.

## **Section 7.50.020 - General Requirements.**

### **A. City Business License Required.**

1. Any person, firm, or corporation that does business as a commercial tour operator by providing a tour guide or originating tours within the city limits must obtain a license from the City, pursuant to Chapter 7.04.
2. Licenses shall be obtained through the Department of Planning and Zoning.
3. The applicant will provide the following information and shall amend the application with any changes to the information:
  - a. Name of business/organization;
  - b. Name of the responsible party;
  - c. Legal corporate address of business;
  - d. Local company address of business;
  - e. Nature and description of the tours offered; and
  - f. Other information as required by the Director.
4. Tour operators shall be legally registered with the State of Maryland's Department of Assessment and Taxation and maintain that registration in good standing.
5. Tour operators shall affirm they will adhere to all Maryland laws, specifically regarding the unauthorized use of any legal names, service marks, and doing business as registered with the State of Maryland's Department of Assessment and Taxation.

### **B. Insurance Required.**

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1. The applicant shall provide the City with a certificate of insurance demonstrating the tour is insured for liability related to injuries, damages, or losses to persons or property.
  - a. This insurance shall cover claims arising from the actions or omissions of the applicant, as well as the applicant's agents, employees, and contractors, during the planning and operation of the tour.
  - b. The coverage amounts must be acceptable to the City.
  - c. The City and its elected officials, employees, and agents shall be named additional insureds and reflected on the insurance certificate.
2. Any certificate of insurance is subject to approval by the City Attorney or their designee.
3. Such insurance policies shall be filed with the license and shall provide that the City be notified before the policy is canceled.

**C. Fees.** A license fee, as established by the annual resolution of the City Council, is required for all tour licenses and shall be paid before the tour operator license is issued

**D. License Issuance.** The Director shall review license applications based on the following criteria:

- a. Compliance with City laws and regulations;
- b. Impact on public safety and traffic flow; and
- c. Potential impact on the historic resources of the Historic District.

#### **Section 7.50.040 - Walking Tours.**

**A. Historic Resources.** Walking tour operators and participants shall respect the District's historic resources and refrain from touching or damaging any historic property.

**B. Public Safety.** Walking tour operators shall take responsible steps to ensure the safety of their participants, including monitoring traffic conditions and adhering to pedestrian safety guidelines.

**C. Group Size and Conduct.**

1. Walking tour guides shall conduct their tours to avoid congestion and disrupting public sidewalks and streets.
2. The guide and guests of a walking tour shall not trespass on private property, block streets, or deny access to driveways.
3. The tour operator shall collect and remove all trash generated by guests.

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**7.50.060 - Violations, Penalty, and Appeals**

**A. Violations.** Violating any provision of this chapter may result in fines, penalties, or other appropriate enforcement action as determined by this chapter and the Director.

**B. Penalties.**

1. **Failure to Comply.** Any applicant who fails to comply with the requirements of this chapter shall not be issued or reissued a business license until proof of compliance is presented by the applicant and certified by the Director, police, or codes enforcement officer.
2. **Suspension of License.** The Director may temporarily suspend the business license of any walking tour operator for violation of any provision of this ordinance.
3. **Permanent Revocation.** A tour operator's license may be revoked on the fourth or subsequent offense.
4. **Fines.** Violations of this chapter shall carry fines as set by the annual resolution of the City Council and permit suspension.

**C. Appeals.**

1. **Suspension and Citations.** Tour operators may appeal a license suspension or citation to the Director, provided a written appeal is submitted within seven days of the suspension.
2. **Director Hearing.** The Director shall conduct a hearing within 30 calendar days and render a final decision to modify, overrule or sustain the issued Order, Decision or Determination.
3. **Appeals of Director's Decision.** Appeals of the Director's final decision to modify, overrule or sustain an order, decision or determination issued by the City may be appealed to the Building Board of Appeals pursuant to § 2.48.060.
4. **Judicial Review.** A person aggrieved by an order, decision or determination issued by the Building Board of Appeals (BBOA) may appeal to the Circuit Court for Anne Arundel County.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect upon passage.

**SECTION III: AND BE IT FINALLY ESTABLISHED BY THE ANNAPOLIS CITY COUNCIL** that:

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- 1           1) The Director shall promulgate such regulations as are necessary and proper for the
- 2           full implementation of this Ordinance within 90 days of enactment.
- 3           2) Existing tours operating as of the effective date of this article shall have 120 calendar
- 4           days after such effective date to comply with the terms of this ordinance.

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