

## COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

**Ordinance No.:** **O-17-16**

**Introduced by:** City Council

**Date Introduced:** March 20, 2017

**First Reading:** March 20, 2017

**Second Reading:** March 27, 2017

**Date Passed:** March 27, 2017

**Date Effective:** **April 17, 2017**

### **AN ORDINANCE concerning**

### **CHAPTER 50 – Alcoholic Beverages**

**FOR** amending Chapter 50 – Alcoholic Beverages of the Code of the City of Seat Pleasant for the violations and penalties.

**BY** amending Chapter 50 – Alcoholic Beverages  
Section 50-1 and 50-2  
Code of the City of Seat Pleasant (1994 Edition, as amended)

**WHEREAS**, pursuant to Md. Code Ann., Local Gov’t § 5-202(1) and § C-501(a) of the Charter of the City of Seat Pleasant (the “Charter”), the Council of the City of Seat Pleasant (the “City Council”) has the power to pass all ordinances not contrary to the Constitution and laws of Maryland or the Charter as it may deem necessary for the good government of the City; and

**WHEREAS**, the City Council desires to amend Chapter 50 – Alcoholic Beverages of the Code of the City of Seat Pleasant for the purposes of clarifying the violations and penalties; and

**WHEREAS**, the City Council deems it in the interest of the public health, welfare and safety of the citizens of The City of Seat Pleasant, and for the good government of The City of Seat Pleasant, to enact this Ordinance and to take the actions as described herein.

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that Sections 50-1 and 50-2 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it hereby is amended to read as follows:

#### **§ 50-1. License fee.**

Pursuant to the power and authority vested by the Annotated Code of Maryland, ALCOHOLIC BEVERAGES, §26-104((Article 2B, § 26)), as amended and supplemented, any person, firm, association or corporation who or which is the license holder for any place of business situated in the City of Seat Pleasant and who or which has obtained a license from the ((Clerk of the Circuit Court of Prince George's County)) BOARD OF LICENSE COMMISSIONER FOR PRINCE GEORGE'S COUNTY to sell alcoholic beverages in said city shall pay to the Treasurer of the City of Seat Pleasant an annual license fee equal to 20% of the cost of the license fee paid to the BOARD OF LICENSE COMMISSIONER FOR PRINCE GEORGE'S COUNTY, which license shall be for the fiscal year July 1 to the following June 30 of each year.

**§ 50-2. Violations and penalties.**

Any person violating the provisions of this chapter shall be deemed guilty of a municipal infraction and, upon conviction thereof, shall be subject to a fine of (( $\$400$ ))  $\$1,000.00$ .

**SECTION 2. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

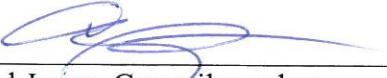
**SECTION 3. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

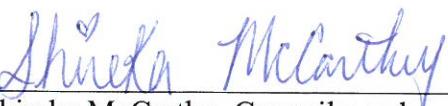
**SECTION 4. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**SECTION 5. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

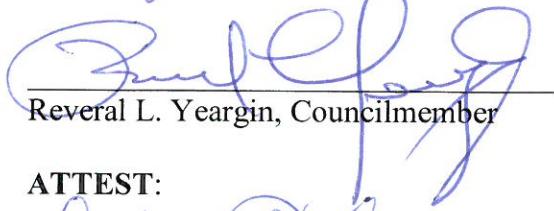
**SECTION 6. AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT** that the City Clerk shall certify to the passage of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

**COUNCIL OF THE CITY OF SEAT PLEASANT**

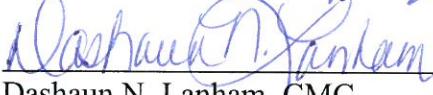
  
Charl Jones, Councilmember

  
Shireka McCarthy, Councilmember

  
Gloria Sistrunk, Councilmember

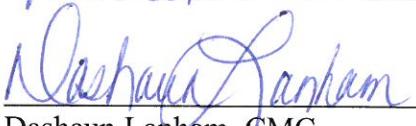
  
Reveral L. Yeargin, Councilmember

ATTEST:

  
Dashaun N. Lanham, CMC

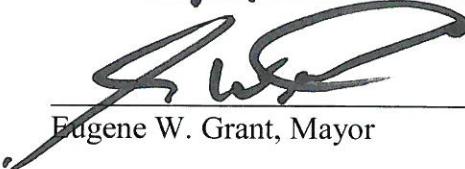
City Clerk

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to § C-313 of the Charter of the City of Seat Pleasant this March 2017, 2017.

  
Dashaun Lanham, CMC

City Clerk

In accordance with § C-313 of the Charter of the City of Seat Pleasant, I hereby APPROVE (DISAPPROVE) of this Ordinance this 29<sup>th</sup>, MARCH, 2017.

  
Eugene W. Grant, Mayor

**EXPLANATION:**  
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
((Double Parenthesis)) indicate matter deleted from existing law.