



Committee: Joint ECON/PS
Committee Review: At a future date
Staff: Jim Ogorzalek, Legislative Attorney
Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #1A
May 6, 2025
Introduction

SUBJECT

Bill 13-25, Licensing and Regulations Generally – Picnics, Dances, Soirees, and Other Entertainment – Amendments

Lead Sponsors: Councilmembers Luedtke and Friedson

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

Bill 13-25 would:

- (1) prohibit an unlicensed party for gain or profit to which the general public is admitted with certain exceptions;
- (2) establish the penalty for violation of the prohibition against an unlicensed party for gain or profit at a residential property to which the general public is admitted and related violations in the same occurrence; and
- (3) generally amend the law governing licensing and regulations.

SUMMARY OF KEY DISCUSSION POINTS

N/A

This report contains:

Staff Report

Bill 13-25

Lead Sponsors' Letter to Colleagues

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MEMORANDUM

May 1, 2025

TO: County Council

FROM: Jim Ogorzalek, Legislative Attorney

SUBJECT: Bill 13-25, Licensing and Regulations Generally – Picnics, Dances, Soirees, and Other Entertainment – Amendments

PURPOSE: Introduction – no Council votes required

Bill 13-25, Licensing and Regulations Generally – Picnics, Dances, Soirees, and Other Entertainment – Amendments, is scheduled for introduction on May 6, 2025. Its Lead Sponsors are Councilmembers Luedtke and Friedson. A public hearing is tentatively scheduled for June 10, 2025, at 1:30 p.m.

Bill 13-25 would:

- (1) prohibit an unlicensed party for gain or profit to which the general public is admitted with certain exceptions;
- (2) establish the penalty for violation of the prohibition against an unlicensed party for gain or profit at a residential property to which the general public is admitted and related violations in the same occurrence; and
- (3) generally amend the law governing licensing and regulations.

Background

Currently, the County Code prohibits any person from holding an unlicensed or unpermitted “picnic, dance, soiree or other entertainment for gain or profit to which the general public is admitted.” Montgomery County Code § 30-1. The penalty for violation of this prohibition is \$25.00, which was established by legislation predating the fines and penalties applicable to most violations of County law.

The purpose of this bill is to add commercial parties to the violations listed in § 30-1, clarify that a violation of § 30-1 is a Class A violation, and establish increased penalties when the violation occurs at a residential property. The bill also enumerates certain other code violations frequently occurring in the same activity as violations of § 30-1 and establishes increased penalties for those violations when they occur in the same activity as violations of § 30-1.

Bill Specifics

Bill 13-25 would clarify by express enumeration that a party is contemplated in the list of prohibited activities—when unpermitted or unlicensed—in § 30-1 of the County Code. The bill would also exclude from the prohibition for-profit activities benefitting certain categories of entities under the Internal Revenue Code. The bill would establish that violation of § 30-1 constitutes a Class A violation under § 1-19 of the County Code, while also setting an increased maximum civil violation penalty for a violation of § 30-1 occurring at a residential property. The bill would also establish increased maximum civil violation penalties for violations of the following code sections when the violation occurs simultaneously with a violation of § 30-1: § 31B-5 (Noise level and noise disturbance violations); § 59.3.1.6 (Commercial activity (pool rental, alcohol service, entertainment venue) unpermitted in the zone); or § 59.3.5.10 (Failure to obtain necessary conditional use approval to operate outdoor recreation entertainment facility or Operation of a prohibited indoor recreation and entertainment facility).

This packet contains:

Bill 13-25

Lead Sponsors' Letter to Colleagues

Circle

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Bill No. 13-25
Concerning: Licensing and Regulations
Generally – Picnics, Dances, Soirees,
and Other Entertainment –
Amendments
Revised: 5/1/2025 Draft No. 1
Introduced: May 6, 2025
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Luedtke and Friedson

AN ACT to:

- (1) prohibit an unlicensed party for gain or profit to which the general public is admitted with certain exceptions;
- (2) establish the penalty for violation of the prohibition against an unlicensed party for gain or profit at a residential property to which the general public is admitted and related violations in the same occurrence; and
- (3) generally amend the law governing licensing and regulations.

By amending

Montgomery County Code
Chapter 30, Licensing and Regulations Generally
Sections 30-1 and 30-3

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 30-1 and 30-3 are amended as follows:

30-1. Picnics, dances, soirees, parties, and other entertainment-License required.

(a) It shall be unlawful for any person to hold in the county any picnic, dance, soiree, party, or other entertainment for gain or profit to which the general public is admitted, without having first obtained a permit or license from the [county] Department of Permitting Services.

(b) This Section does not apply to any picnic, dance, soiree, party, or other entertainment when the entire gain or profit directly benefits an organization registered under a following section of the Internal Revenue Code: § 501(c)(3), § 501(c)(4), § 501(c)(5), § 501(c)(6), § 501(c)(7); § 501(c)(8); § 501(c)(10); § 501(c)(19); § 501(k); or § 527.

* * *

30-3. [Same--]Penalty for violations of section 30-1 [or section 30-2].

[Any person who shall violate any of the provisions of the two (2) preceding sections shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than twenty-five dollars (\$25.00) for each offense.]

(a) Any violation of Section 30-1 or any regulation issued under it is a class A violation.

(b) Notwithstanding Section 1-19, for any violation of Section 30-1 occurring at a residential property, the civil penalty must be in an amount not to exceed \$5,000.

(c) Notwithstanding Section 1-19, for any violation of a following section occurring during the same occurrence as a violation of Section 30-1, the civil penalty for each violation must be in an amount not to exceed \$5,000:

(1) Section 31B-5;

(2) Section 59.3.1.6; or

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(3) Section 59.3.5.10.



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

DAWN LUEDTKE
COUNCILMEMBER
DISTRICT 7

ANDREW FRIEDSON
COUNCILMEMBER
DISTRICT 1

MEMORANDUM

April 30, 2025

TO: Councilmembers

FROM: Councilmember Dawn Luedtke
Councilmember Andrew Friedson

SUBJECT: Bill 13-25, Unlicensed Commercial House Parties

Dear Colleagues,

On May 6, we will introduce *Bill 13-25, Licensing and Regulations Generally - Picnics, dances, soirees and other entertainment - Amendments*. This legislation aims to curb the growing issue of dangerous and disruptive for-profit house parties in neighborhoods, events that are already illegal according to County zoning but that have proven difficult for County Government to effectively address.

These unlicensed commercial parties create unsafe situations in communities in our Districts and throughout the County, where residents are concerned about noise, intoxicated partygoers, the parking of dozens of vehicles on small neighborhood streets, and illegal fireworks use. These for-profit events are typically advertised to the general public through online sources and social media. Last summer, at least two examples of these unlicensed commercial house parties garnered widespread concern from constituents and significant media attention.¹² Through extensive conversations with the Office of the County Attorney (OCA), Department of Permitting Services (DPS), Montgomery County Police Department (MCPD),

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<https://bethesdamagazine.com/2024/05/31/raucous-wet-dreams-pool-party-at-potomac-mansion-raises-concerns-about-future-fetes/>

2

<https://www.nbcwashington.com/news/local/gaithersburg-residents-express-safety-concerns-after-massive-parties/3649872/>

County Executive's Office and other Executive Branch partners, we learned that our County needs more effective tools to fight this already illegal activity.

Bill 13-25 increases the potential fines from a maximum of \$500 to a maximum of \$5,000 related to four existing violations for this type of activity at a residential property: unpermitted commercial parties; noise violations; unpermitted commercial use in a residential zone; and violations of the zoning for Recreation and Entertainment use. The bill authorizes these increased fines for these violations only when the violation is a result of this type of unpermitted commercial house party activity.

Bill 13-25 underscores our County's commitment to safe and healthy neighborhoods and demonstrates to residents that we are committed to bringing them relief. Thank you for your attention and please do not hesitate to reach out if you have any questions or would like to support as a co-sponsor.

Cc: Jim Ogorzalek, Legislative Attorney