

Order 216-05/06  
Referred to Public Safety Committee on 4/19/06  
Public Hearing and Passage: 6/5/06 8-1 (Duson)

JAMES I. COHEN (MAYOR)(5)  
WILLIAM R. GORHAM (1)  
KAREN A. GERAGHTY (2)  
DONNA J. CARR (3)  
CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JAMES F. CLOUTIER (A/L)  
JILL C. DUSON (A/L)  
NICHOLAS M. MAVODONES (A/L)  
EDWARD J. SUSLOVIC (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 4 (AMUSEMENTS)  
ARTICLE III (MUSIC, DANCING AND SPECIAL ENTERTIANMENT)  
DIVISION 2 (LICENSES)  
SECTION § 4-51**

**RE: MORATORIUM ON LATE NIGHT ENTERTAINMENT LICENSES AND  
ENTERTAINMENT**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Chapter 4, Article III, Division 2. is hereby amended by  
adding new subsections §§4-51.5 through 4-51.7 as follows:*

**Sec. 4-51.5. Findings and declaration of emergency.**

(a) The City has experienced significant problems with late-night entertainment in the Old Port area of the City for some years including but not limited to problems arising when bars close and facilities offering late night entertainment become a gathering place for bar patrons and much younger individuals.

(b) The City has also on occasion experienced late-night entertainment problems in other parts of the City.

(c) The late-night entertainment problems experienced by the City include fights, brawls, illegal drug use, illegal consumption of alcohol, excessive consumption of alcohol, levels and quantities of noise that disturb residential homeowners and renters, and other activities that create public safety nuisances and risks.

(d) The Mayor has created a Task Force to address the issue of late-night entertainment and other issues in the Old Port area of the City.

(e) The Public Safety Committee is also addressing the issue of late-night entertainment citywide.

(f) In order to permit the development and implementation of reasonable controls and a process that will more effectively protect the public from the adverse impact and problems from late-night entertainment activities, it is found and declared that a temporary moratorium is necessary to allow the City to accomplish these goals.

**Sec. 4-51.6. Moratorium on the issuance of late-night entertainment licenses and authorization to conduct late-night entertainment.**

Notwithstanding any other provisions of this code, including but not limited to the provisions of chapter 4 (amusements), no new entertainment license shall be issued or granted and no new application shall be accepted by the license administrator from and after April 19, 2006 up to and including October 17, 2006 that allows entertainment between the hours of 1:00 a.m. and 7:00 a.m.

**Sec. 4-51.7 Exceptions.**

This moratorium shall not apply to the renewal of an existing license allowing late night entertainment under chapter 4, article III that has actually been used for that purpose in an area of the City outside the Old Port overlay zone.

**AND BE IT FURTHER ORDERED,** that it is further found and determined that it is necessary that this article take effect immediately as an emergency, pursuant to Article II, Section 8 of the City Charter.