

Order 163-11/12
Given first reading on 4/23/12
Public Hearing and Passage as amended 7-2 (Coyne, Marshall)
5/7/12

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CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
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**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 4 AMUSEMENTS
DIVISION 2 (License)
SECTION 4-51 (Required)**

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

1. *That Division 2 (License), Section 4-51 (Required) of the
Portland City Code is hereby amended to read as follows:*

Sec. 4-51. Required.

...

(b) After-hours entertainment shall require a separate license as provided in this division subject to the following restrictions and requirements: ~~Operations under such separate license shall end at 3:00 a.m. Establishments that have a liquor license shall limit attendance to individuals who are at least 21 years old. Establishments that do not have a liquor license shall limit attendance to individuals who are at least 18 years old.~~

(1) Operations under such separate license shall end at 3:00 a.m.

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(2) Establishments that have a liquor license shall limit attendance to individuals who are at least 21 years old. Establishments that do not have a liquor license shall limit attendance to individuals who are at least 18 years old.

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(3) Any applicant for an after-hours entertainment license shall meet with the police department for review of the security plan and a site visit before the license is brought before the city council.

(4) The license shall allow no more than twenty-four (24) after hour events per calendar year.

(5) In addition to the after-hours license, at least seven (7) days in advance of each event, the license holder shall deliver a written notice to the clerk's office during normal business hours specifying the date upon which the event will be held. The city clerk will forward the notice immediately to the police department, track the number and frequency of events per licensee per calendar month and inform a licensee if an event is not allowed.

(c) Exceptions:

a- Upon application for a license for a single event, the Council may allow after hours entertainment to take place after 3:00 a.m. for a public purpose and may permit individuals under the age of 21 to attend the event, subject to such conditions, if any, that the Council imposes to protect the public health, safety and welfare. Any events permitted under this paragraph will not count as one of the twenty-four events per year allowed by section (b)(4) above.

(ed) No person shall conduct, maintain or operate a dance hall, a single dance, a concert hall or a single concert, as defined in section 4-42 of this code, without a license.

2. These amendments shall go into effect at 12:01 a.m. on March 15, 2012.

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