

March 23, 2023



***Comments and Concerns***  
***CB 14-23 - Late Night Business Safety Plan***

Dear Montgomery County Council:

The Restaurant Association of Maryland (RAM) is requesting some fundamental clarifications regarding Council Bill 14-23, *Late Night Business Safety Plan*. While our members share the goal of promoting public safety in our communities, we believe this bill raises a lot of unanswered questions.

Our restaurant members consider themselves to be an important part of the community and are in support of working with local law enforcement. However, this legislation would present significant challenges to the industry. Restaurants operate on very narrow profit margins (averaging 4 percent), and the enhanced security measures that could be prescribed under this legislation could place an immense financial burden on them. Especially for our smaller members, training and hiring security would be extremely costly and not practical. Many of them would be forced to close by midnight or switch to carry-out only after midnight to avoid submitting a "Late Night Business Safety Plan." As a result, restaurants that close early would have to forego potential late-night sales. For restaurants that switch to carry-out only, this could increase loitering around the businesses, as late-night customers may hang out around the business after getting their food.

Because of these concerns, RAM would request that the following issues be defined or clarified before the bill is moved:

- The methodology used to identify "Priority Police Response Areas" -- crime metrics, crime threshold, etc.
- What would the scope of "Priority Police Response Areas" be -- i.e., would they apply to specific streets within a defined radius, zip codes or towns, etc. that are above a specified crime threshold?
- How often would "Priority Police Response Areas" be updated?
- The application process and how the Montgomery County Police Department (MCPD) decides to approve or deny the plans.
- Specify potential requirements for different types of businesses -- i.e., Late-Night Diners vs. other business types.
- Would there be an appeal process for businesses whose plan is denied?
- For businesses that cannot afford the requirements, will there be a financial hardship waiver or grant opportunities?

We appreciate the efforts of the Council to promote public safety in our community. However, the requirements and processes in Council Bill 14-23 need to be more clearly defined.

Thank you for your time and consideration of our concerns.

Sincerely,

Melvin R. Thompson  
Senior Vice President  
Government Affairs and Public Policy