



OUR MISSION:

Working to enhance the economic prosperity of greater Silver Spring through robust promotion of our member businesses and unrelenting advocacy on their behalf.

February 29, 2024

The Honorable Andrew Friedson, Kate Stewart,
and Members of the Montgomery County Council
100 Maryland Avenue, Sixth Floor
Rockville, Maryland 20850

Dear Council President Friedson, Vice President Stewart, and Members of the Council:

On behalf of the Greater Silver Spring Chamber of Commerce, representing more than 300 employers, mostly small and minority owned businesses, in greater Silver Spring and surrounding areas in Montgomery County, we are submitting these comments of strong support of Bill 3-24 Late Night Establishments – Hours of Operation. We urge the County Council to support this legislation which will align and restrict the hours of operation for hookah lounges, smoke shops, and vape shops to mirror the same hours for establishments where alcohol (beer, wine, or liquor) is consumed.

The Chamber has always been about making greater Silver Spring a thriving business community, a place where people want to live, work, and come to enjoy what so many of us love about Silver Spring – our wonderful arts and entertainment venues, our breweries, and what I like to call our “United Nations” of restaurants. We believe that the County Council can and **should be an active advocate for our businesses** to ensure their continued safety and growth and the passing of Bill 3-24 will do that.

At present, Hookah lounges and smoke shops are entities that do not fit any County business definitions. As a result, they are unregulated and do not have a required closing time. This effectively allows them to operate throughout the night. Those with liquor licenses, however, are supposed to adhere to County policy on what time liquor service has to stop (even if the establishment does not close). Despite this, there are activities that are occurring in Silver Spring, between 2:00 a.m. and 7:00 a.m., that have become problematic and dangerous for the community as a whole. The Chamber has been very involved in the issue of rising crime in Silver Spring, and as you may recall, worked diligently with other stakeholders to begin the crafting of the Late-Night Safety Bill, which successfully passed last session. The hope was that the Late-Night Safety Bill would allow the County and MCPD to work with these businesses to create a safe late-night economic environment for all, in keeping with the overall mission of the Chamber.

The reality since then, however, has been far from that in Silver Spring. It has become undeniable that the unregulated times during which these establishments are open continue to wreak havoc on the community and the reputation of Silver Spring. Recent data of the number of police calls performed, between 2:00 a.m. – 7:00 a.m., from MCPD data substantiates this. The Chamber has continued to have conversations with stakeholders, including County Council VP Kate Stewart and others regarding issues of public safety. After several discussions it became clear that the Late-Night Safety Bill alone was not enough and that these specific, currently undefined entities, need to be defined and regulated in keeping with the restaurant and bar industry. The Greater Silver Spring Chamber of Commerce applauds Council Vice-President Stewart, and Councilmembers Alborno and Glass for the introduction of Bill 3-24. We would also like to thank Councilmembers Luedtke, Katz, Fani-Gonzalez, and Balcombe for their support of this Bill.

The Chamber supports the defining of “Hookah Lounges” and the establishment of operating hours commensurate with the restaurant and bar industry (closing at 2:00 a.m.) based on the data and information from MCPD. This, like the Late-Night Safety Bill, is a starting point. Bill 3-24 puts these newly-regulated businesses on the same footing, with the corresponding same responsibilities, as existing businesses, allowing the new businesses to stand up and fly right with everyone else, or face penalties of further regulation. At present there has been no data presented to the Chamber that indicates an overabundance of issues to support closing the Hookah lounges and smoke shops at an earlier time. If the situation does not appear to be helped by the passing of Bill 3-24, and the data continues to indicate issues, then the

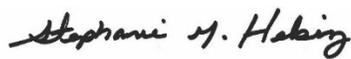
Chamber will advocate very loudly for the establishments in question to be further restricted. The Chamber will continue to work with MCPD and the County to support initiatives and legislation that make the community safer.

In Closing, the Chamber would like to advocate for a few additional items. First, the Chamber requests stiffer penalties than Class A allows for violaters of the new regulations. We don't see these low dollar amount fines being a major deterrent and can be easily absorbed by some of the offending businesses. Perhaps a tracking system that combines these fines, but if you get three or more citations you lose your liquor license for a year. The Chamber would also like to advocate for the reallocation of MCPD patrols to coincide with the 2:00/3:00 a.m. closing times as a deterrent for criminal behavior. Lastly, we request that the implementation of this bill be expedited.

With the above-mentioned points taken into consideration, the Greater Silver Spring Chamber of Commerce believes that Bill 3-24 is a step in the right direction for ensuring the safety of our businesses and the greater Silver Spring community. Therefore, we ask that the County Council support this Bill!

Should you have questions, don't hesitate to contact us.

Sincerely,



Stephanie Helsing
President & CEO