

ORDINANCE NO. 3914

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AMEND SECTION 11-132 PERTAINING TO GAMBLING FOR THE PURPOSE OF LEGALIZING FANTASY COMPETITIONS AND SPORTS WAGERING."

WHEREAS, Article V of Chapter 11 of the City Code sets forth offenses pertaining to public morals, including, but not limited to, the prohibitions against gambling set forth in Section 11-132.

WHEREAS, in 2021, the State of Maryland passed legislation legalizing fantasy competitions (see Title 9, Subtitle 1D of the State Government Article of the Annotated Code of Maryland) and sports wagering (see Title 9, Subtitle 1E of the State Government Article), both subject to State licensure requirements.

WHEREAS, local businesspersons have expressed interest in obtaining State licensure for the conduct of such activities in the City.

WHEREAS, although presently illegal in Cumberland, this Ordinance will legalize fantasy competitions and sports wagering, subject to State licensure requirements.

NOW, THEREFORE, IT IS ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND AS FOLLOWS:

SECTION 1: Section 11-132 of the Code of the City of Cumberland (1991 Edition) is amended to include a new subsection (d) which shall read as follows:

**Sec. 11-132. - Gambling.**

- (a) No person within the city shall set up, keep or maintain any faro table, faro bank or gambling device or run a gaming table or game of chance of any kind, except those not prohibited under the general laws of the state.



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- (b) No owner, proprietor, lessee or occupier of any house or building shall knowingly permit gambling on his premises.
- (c) If any person is arrested and convicted in connection with a violation of any gaming law of the city, and there is taken into custody in connection therewith any gaming device or gambling paraphernalia used in connection with such offense or incident thereto, such gambling device or paraphernalia shall be confiscated and destroyed by the chief of police.
- (d) Subsections (a), (b) and (c) shall not apply to fantasy competitions and sports wagering permitted under and in accordance with the laws of the State of Maryland.

[NOTE: Amendments are set forth in bold print underlined text]

**SECTION 2:** This Ordinance shall take effect from the date of its passage.

Passed this 17th day of May, 2022.

  
Raymond M. Morriss, Mayor

ATTEST:

  
Marjorie A. Woodring, City Clerk

1st reading: **May 3, 2022**  
2nd reading: **May 17, 2022**  
3rd reading: **May 17, 2022**  
Passed 5-0