

UPDATE: Charles County Obtains Injunction to Prevent Adult Entertainment Establishment from Opening in Bryans Road

Posted by [TBN\(Staff\)](#) On 01/24/2020

Bryans Road, MD - January 24, 2020 - Today Charles County obtained an order to enforce the injunction that prohibits X4B, an adult entertainment establishment, from opening for business this weekend. The establishment had been promoting itself as a nightclub with live entertainment in its online advertising through social media.

Charles County Attorney Wes Adams presented evidence that the club planned to open without obtaining a valid Certificate of Use and Occupancy. X4B representatives sought County approval to open a restaurant, but had not been issued a Certificate of Use and Occupancy for that purpose. The Court ruled that by allowing X4B to open without a valid use and occupancy permit would "flout the established zoning and nullify the County's authority to enact zoning provisions" that would protect the health safety and welfare of its residents.

Charles County is taking immediate action to secure the premises with the support of the Charles County Sheriff's Office. The Court ruled that the Charles County Sheriff's Office is authorized to arrest any person violating the injunction. A hearing date to review the injunction is scheduled on Feb. 10, 2020. The nightclub has applied for a new Certificate of Use & Occupancy but has not yet received it because its representatives have not complied with certain requirements in the Resolution.

CCSO Press Release:

In December, 2019, the Charles County government obtained a permanent injunction from the Circuit Court for Charles County forbidding Family First Management Group ("X4B") from using the premises at 7075 Indian Head Highway without proper zoning permits. Historically, these types of zoning violations are handled by qualified County personnel, not by the Sheriff's Office.

This afternoon, the Circuit Court for Charles County issued an order prohibiting any person from entering 7075 Indian Head Highway unless accompanied by a County official or by leave of court. Anyone entering the property in violation of the Court's order may be subject to arrest. Today, the Sheriff's Office was granted authorization to enforce the Court's order denying entry to the premises.

Directed by Sheriff Troy D. Berry, officers will be deployed to the establishment to enforce the Court order and keep the peace. "Since this issue began in November, the Sheriff's Office has been working closely with County officials and has been committed to our mission of ensuring public safety and policing responsibly," said Sheriff Berry.

Bryans Road, MD - January 25, 2020 - Charles County is preparing for the possibility that an adult entertainment club may illegally open its doors this weekend in the Bryans Road area. Currently, the club does not have a valid Certificate of Use and Occupancy to operate and an injunction was issued in November 2019 to prevent it from operating in the absence of a valid Certificate of Use & Occupancy. If the nightclub opens for business, as it has advertised it will, the county stands ready to immediately pursue legal action against the nightclub owners because they will have violated the injunction and will be operating without a valid Certificate of Use & Occupancy.

To date, the Board of County Commissioners has taken several actions to protect the health, safety, and welfare of its residents from the potential adverse impacts of the nightclub's anticipated adult entertainment activities, including:

- Immediately after being notified by concerned residents that the nightclub was promoting adult entertainment in November 2019, county staff investigated the matter and revoked its original Certificate of Use and Occupancy because its activities were not authorized in the zone where the club planned to open.
- On Nov. 22, 2019, the county's permit revocation was upheld in court and an injunction was issued.
- Commissioners directed staff to begin the process of exploring development of a zoning text amendment that would consider limits on how, when, and where adult entertainment clubs can operate, with a proposal expected by July 2020.
- On Jan. 14, 2020, the Board of County Commissioners approved a resolution to temporarily suspend approval of site development plans and Certificates of Use and Occupancy for any property whose use will include adult entertainment in Charles County until a zoning text amendment can be considered.
- The nightclub has applied for a new Certificate of Use & Occupancy but has not yet received it because its representatives have not complied with certain requirements in the Resolution.

"The Board of County Commissioners has taken every step that it has the legal authority to execute," said Commissioner President Reuben B. Collins, II, Esq.

"Under Charter Government, a County Executive would have the authority to exercise policing powers to prevent a business without proper permits from opening its doors – without the need to seek relief from the Courts."

"We are disappointed that our law enforcement partners are not enforcing the injunction ordered by the Courts," stated Commissioner Thomasina O. Coates, M.S., of District 2, the district where the nightclub intends to open. "Unfortunately, the Board of County Commissioners does not have the ability to compel them to take action on code violations, resulting in the situation that we are now facing as a community."

[Related Article](#)

