

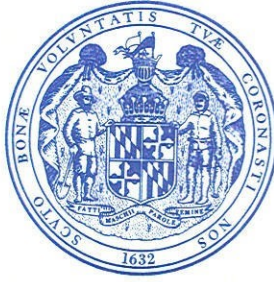
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## BOARD OF LIQUOR LICENSE COMMISSIONERS

FOR BALTIMORE CITY

231 E. BALTIMORE STREET, 6TH FLOOR

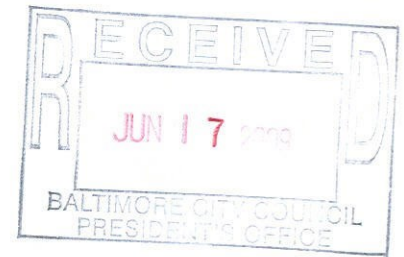
BALTIMORE, MARYLAND 21202-3258

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June 16, 2009

The Honorable Stephanie Rawlings-Blake  
President of Baltimore City Council  
100 North Holliday Street  
Baltimore, MD 21202



Dear President Rawlings-Blake:

The Board is required, under Article 2B, Section 10-202(a)(2), to consider the following factors when issuing a new license, a transfer to a new location, or a request for expansion, including outdoor tables and live entertainment:

- (2) (i) Before approving an application and issuing a license, the board shall consider:
1. The public need and desire for the license;
  2. The number and location of existing licensees and the potential effect on existing licensees of the license applied for;
  3. The potential commonality or uniqueness of the services and products to be offered by the applicant's business;
  4. The impact on the general health, safety, and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience; and
  5. Any other necessary factors as determined by the board.
- (ii) The application shall be disapproved and the license for which application is made shall be refused if the Board of License Commissioners for the City or any county determines that:
1. The granting of the license is not necessary for the accommodation of the public;
  2. The applicant is not a fit person to receive the license for which application is made;
  3. The applicant has made a material false statement in his application;
  4. The applicant has practiced fraud in connection with the application;
  5. The operation of the business, if the license is granted, will unduly disturb the peace of the residents of the neighborhood in which the place of business is to be located; or

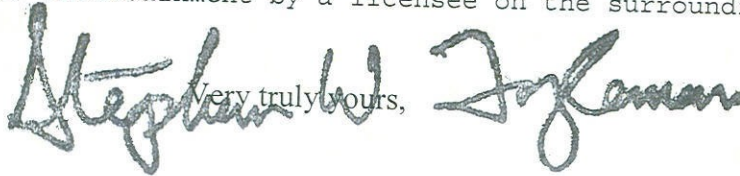
*Comments*

Page 2

6. There are other reasons, in the discretion of the board, why the license should not be issued.

The Board also routinely hears from community associations with respect to the granting of live entertainment and other requests. The Board will always look more favorably on a request that has been vetted by the neighborhood and often postpones cases until the applicant has met with the respective neighborhood associations.

In summary, Article 2B provides for due process and legal considerations for the granting of live entertainment by the Board of Liquor License Commissioners. Absent a change in state law, the Board will continue to operate under these laws, using the factors enumerated therein to ensure a fair hearing that considers all facets of the impact of live entertainment by a licensee on the surrounding community.

Very truly yours,  


Stephan W. Fogleman,  
Chairman

SWF/cc