

**CITY OF BALTIMORE
COUNCIL BILL 13-0133R
(Resolution)**

Introduced by: Councilmembers Henry, Stokes, Curran

Introduced and read first time: November 4, 2013

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: Board of Liquor License Commissioners

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Request for State Legislation - Transfer of Liquor Licenses**

3 FOR the purpose of requesting that the Honorable Chairs and Members of the Baltimore City
4 Senate and House Delegations to the 2014 Maryland General Assembly introduce legislation
5 governing the transfer of liquor licenses.

6 **Recitals**

7 State law authorizes the Board of Liquor License Commissioners for Baltimore City to issue
8 licenses governing the sale and consumption of beer, wine, and liquor and to approve or deny the
9 transfer of these licenses between private parties when the business is offered for sale or
10 otherwise conveyed to new ownership.

11 While many licensees are upstanding corporate citizens, trying hard to be good neighbors to
12 their surrounding residents, communities across Baltimore City have consistently voiced
13 concerns about those licensees who see their business as nothing more than an opportunity to
14 prey on the vulnerable populations nearby.

15 As previously referenced in the recitals of Resolution 08-0031R, the “saturation of a
16 community with liquor outlets has been shown to be an important component of the social
17 infrastructure that destabilizes communities. It is imperative that government agencies with
18 authority over land-use and/or liquor licenses help fight crime and blight and improve the quality
19 of life by controlling licenses to sell alcohol and the location and proliferation of licenses.”

20 One of the difficulties facing both the communities of Baltimore City, and its Board of
21 Liquor License Commissioners, is that the state law regulating these licenses allows the Board to
22 consider only the character of the applicant when considering a transfer of a license. Since so
23 many of the situations in which a community is unhappy with a licensee involve chronic
24 neighborhood disruptions already in existence, and since this information cannot be considered
25 when deciding whether or not to allow the transfer of a license, many chronically bad businesses
26 remain so over the years.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the
2 Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2014
3 Maryland General Assembly are requested to introduce the legislation governing the transfer of
4 liquor licenses including the following language:

5 **Article 2B. Alcoholic Beverages**

6 **Title 10. Licenses**

7 **Subtitle 2. Procedure for Issuance**

8 **§ 10-202. Issuance of license; Board of License Commissioners**

9 (e)(2)(i) On receipt of an application for a new license, a transfer of a license, a change in the
10 class of the license, a request for live entertainment on the licensed premises, or an extension of
11 the licensed premises, the Board of License Commissioners for Baltimore City shall advertise
12 and post notice of the application or request in accordance with this paragraph.

13 (iii) The Board shall hold a public hearing on each request for a new OR TRANSFERRED
14 license, a change in the class of license, a request of live entertainment, or an expansion of the
15 licensed premises. IN ALL HEARINGS UPON APPLICATIONS AND REMONSTRANCES UNDER THE
16 PROVISIONS OF THIS ARTICLE, THE GENERAL REPUTATION OF THE APPLICANT OR LICENSEE AND OF
17 THE PLACE OF BUSINESS AND OF THE PEOPLE WHO CONGREGATE THEREIN OR THEREAT SHALL BE
18 ADMISSIBLE IN EVIDENCE.

19 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the
20 Governor, the Honorable Chairs and Members of the Baltimore City Senate and House
21 Delegations to the 2014 Maryland General Assembly, the Executive Director of the Mayor’s
22 Office of State Relations, and the Mayor’s Legislative Liaison to the City Council.