

**CITY OF BALTIMORE  
COUNCIL BILL 09-0170R  
(Resolution)**

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Introduced by: Councilmembers Henry, Clarke, Middleton, Holton, Curran, Kraft

Introduced and read first time: November 2, 2009

Assigned to: Community Development Subcommittee

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REFERRED TO THE FOLLOWING AGENCIES: Department of Housing and Community Development,  
Youth Commission, Board of Liquor License Commissioners, Police Department

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A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

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

3 FOR the purpose of requesting the Honorable Chairs and Members of the Baltimore City Senate  
4 and House Delegations to the 2010 Maryland General Assembly to introduce legislation  
5 governing the transfer of liquor licenses.

6 **Recitals**

7 State law authorizes the Board 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.

**Council Bill 09-0170R**

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 2010  
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 2010 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.