

**CITY OF BALTIMORE
COUNCIL BILL 09-0169R
(Resolution)**

Introduced by: Councilmembers Henry, D'Adamo, Clarke, Middleton

Introduced and read first time: November 2, 2009

Assigned to: Community Development Subcommittee

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

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Request for State Legislation - Operation of Bottle Clubs and the Transfer of Bottle Club**
3 **Registrations**

4 FOR the purpose of requesting the Honorable Chairs and Members of the Baltimore City Senate
5 and House Delegations to the 2010 Maryland General Assembly to introduce legislation
6 governing the operation of Bottle Clubs and the transfer of Bottle Club Registrations.

7 **Recitals**

8 State law authorizes the Board of Liquor License Commissioners for Baltimore City to issue
9 Bottle Club Registrations governing any establishment that serves, gives, or allows alcoholic
10 beverages to be consumed by patrons from supplies that the patrons previously purchased or
11 reserved.

12 While many registrants may be upstanding corporate citizens, trying hard to be good
13 neighbors to their surrounding residents, the potential for a clash between community residents
14 and registrants who see their business as nothing more than an opportunity to make money
15 without regard to their disruptive patrons, is real.

16 Since bottle club registrants are not permitted to sell alcohol, but simply allow patrons to
17 consume alcohol that they have previously purchased or reserved, the need for stricter provisions
18 regulating where these registrations may be placed, who shall be permitted to receive such a
19 registration and the regulation of alcohol consumption in these establishments is vital to protect
20 communities from the ills typical of over consumption of alcohol and negligent management:
21 public urination/defecation; violence; public drunkenness; loud noise; destruction of property,
22 etc.

23 One of the current threats to communities is that if the Board of Liquor License
24 Commissioners revokes or denies the renewal of a liquor license because a licensee has
25 demonstrated that he or she is incapable of or unwilling to manage the establishment in a manner

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

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1 that is respectful of the community in which it is located, that individual is allowed to register for
2 a bottle club. Bad actors should not be allowed to profit even when they have been found guilty
3 of systematic violations of the liquor laws.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
5 Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2010
6 Maryland General Assembly are requested to introduce the legislation governing the operation of
7 Bottle Clubs and the transfer of Bottle Club Registrations including the following language:

8 **Article 2B. Alcoholic Beverages**

9 **Title 20. Places of Public Entertainment**

10 **§ 20-102. Baltimore City; bottle clubs**

11 (d)(3)(i) The Board shall meet the same notice and hearing requirements for the application
12 for registration that apply to an application for an alcoholic beverages license.

13 (ii) Before the Board may approve an application and accept the registration, the applicant
14 shall provide copies of all inspections by the appropriate agencies, a trader's license, a sales and
15 use tax license, and a use and occupancy permit.

16
17 (iii) 1. At the hearing, the Board shall determine whether to register the establishment, using
18 the standards listed under § 10-202(a)(2)(ii) of this article.

19 2. A REGISTRATION MAY NOT BE ISSUED TO ANY PERSON WHO HAS BEEN REFUSED THE
20 ISSUE OR RENEWAL OF ANY CLASS OF LIQUOR LICENSE OR REGISTRATION, NOR TO OR FOR ANY
21 PREMISES FOR WHICH A LICENSE HAS BEEN SO REFUSED.

22 3. NO BOTTLE CLUB REGISTRATION SHALL BE GRANTED TO ALLOW FOR THE CONSUMPTION
23 OF ALCOHOLIC BEVERAGES IN ANY ESTABLISHMENT LOCATED WITHIN 300 FEET OF THE NEAREST
24 POINT OF THE BUILDINGS OF A CHURCH OR SCHOOL, BUT THE REGISTRATION OF ANY PERSON NOW
25 HOLDING A REGISTRATION FOR ANY BUILDING LOCATED WITHIN SUCH DISTANCE OF THE BUILDING
26 GROUNDS OF A CHURCH OR SCHOOL MAY BE RENEWED OR EXTENDED FOR THE SAME BUILDING.

27 (iv) 1. A registration of a bottle club under this subsection remains in effect for 1 year AND IS
28 NONTRANSFERABLE.

29 2. Subject to subparagraph (v) of this paragraph, a registration that is accepted by the
30 Board may be renewed each year in accordance with the same renewal procedures used for
31 liquor licenses.

32 3. A person that seeks to renew a registration shall pay the renewal fee that the Board
33 establishes.

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1 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the
2 Governor, the Honorable Chairs and Members of the Baltimore City Senate and House
3 Delegations to the 2010 Maryland General Assembly, the Executive Director of the Mayor's
4 Office of State Relations, and the Mayor's Legislative Liaison to the City Council.