

**CITY OF BALTIMORE
COUNCIL BILL 11-0246R
(Resolution)**

Introduced by: Councilmember Henry
At the request of: Marylanders *for* Better Beer & Wine Laws, c/o Adam Borden, President
___ Address: 4315 Underwood Road, Baltimore, MD 21218
___ Telephone:443-570-8102
Introduced and read first time: January 24, 2011
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 – Repeal Corkage Ban in Maryland**

3 FOR the purpose of respectfully requesting the Honorable Chairs and Members of the Baltimore
4 City Senate and House Delegations to the 2011 Session of the Maryland General Assembly
5 to introduce and obtain passage of legislation to repeal the corkage ban on restaurants that
6 have liquor licenses; and urging the Governor to sign the legislation into law to allow
7 licensees to compete on an equal basis with BYOs and Washington, D.C. restaurants.

8 **WHEREAS**, Maryland law currently prohibits a licensee’s customers from bringing their own
9 alcohol onto the premises, thereby prohibiting the practice of corkage – the ability of a licensed
10 restaurant owner to set his or her own policy as to whether or not to allow patrons to bring their
11 own bottle of wine to drink with their meal; and

12 **WHEREAS**, Restaurants in Maryland that hold a liquor license are at a disadvantage to BYO
13 (Bring Your Own bottle) unlicensed restaurants that are exempt from the prohibition as well as
14 to nearby Washington, D.C. restaurants that attract affluent Maryland wine drinkers who
15 regularly drive to D.C. to be able to enjoy their own special wines with their meals; and

16 **WHEREAS**, *The Case for Corkage in Maryland*, a fact sheet from Marylanders *for* Better
17 Beer & Wine Laws, reports that restaurants allowing corkage have more flexibility with their
18 wine lists because corkage means that a restaurant does not need to tie up as much capital in its
19 inventory to satisfy its customers’ diverse wine needs; and

20 **WHEREAS**, In addition, because older wines require special attention and are very expensive
21 to acquire, many high-end restaurant patrons like to bring older bottles that they would not
22 otherwise purchase from a wine list, and patrons that bring wine are more affluent on the average
23 and spend more; and

24 **WHEREAS**, Corkage is a win-win situation – it allows patrons to exercise personal preference
25 in choosing what beverage to enjoy with their meals, and the typical \$15 - \$20 corkage fee is
26 pure profit for the restaurants that would have to charge an average of \$50 a bottle to make the
27 same profit; and

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

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1 **WHEREAS**, Baltimore City licensed restaurants and private clubs wish to be able to offer
2 their patrons the choice of bringing their own special wines to celebrate special occasions and to
3 compete on equal level with the BYO's and Washington, D.C. restaurants in amenities offered,
4 as well as in revenues generated.

5 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the
6 Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2011
7 Session of the Maryland General Assembly are respectfully requested to introduce and obtain
8 passage of legislation to repeal the corkage ban on restaurants that have liquor licenses; and
9 urging the Governor to sign the legislation into law to allow licensees to compete on an equal
10 basis with BYOs and Washington, D.C. restaurants.

11 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the
12 Governor, the Honorable Chair and Members of the Baltimore City Senate Delegation; the
13 Honorable Chair and Members of the Baltimore City House Delegation, the Director of the
14 Mayor's Office of State Relations, the Baltimore City Board of Liquor License Commissioners,
15 and the Mayor's Legislative Liaison to the City Council.