

**CITY OF BALTIMORE
COUNCIL BILL 08-0072R
(Resolution)**

Introduced by: President Rawlings-Blake, Councilmembers Middleton, Clarke, Young, Branch,
Cole, Henry, Holton, Kraft, Welch, D'Adamo, Spector

Introduced and read first time: October 6, 2008

Assigned to: Public Safety and Health Committee

REFERRED TO THE FOLLOWING AGENCIES: Board of Municipal and Zoning Appeals, Planning
Commission, Board of Liquor License Commissioners

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Board of Liquor License Commissioners – Location of Outlets Near Church or School**

3 FOR the purpose of requesting the members of the Baltimore City Board of Liquor License
4 Commissioners to report to the City Council on the procedures utilized to enforce the
5 prohibition against the existence of liquor establishments within 300 feet of a church or of a
6 school and to consider the feasibility of requesting the Honorable Chairs and Members of the
7 Baltimore City Senate and House Delegations to the 2009 Maryland General Assembly to
8 introduce legislation to increase the distance of the prohibition.

9 **Recitals**

10 The Board of Liquor License Commissioners for Baltimore City was created by the State
11 Legislature after the repeal of the Volstead Act in 1933. “At that time it became apparent that
12 appropriate controls and licensing of alcoholic beverages at the retail level were necessary in the
13 State of Maryland to insure public safety”.

14 The Board of Liquor License Commissioners is an agency of the State. As a body, the Board
15 administers the statutes, laws, ordinances, and its own Rules and Regulations regarding the
16 operation of the approximately 1,470 alcoholic beverage establishments in the City.

17 In Baltimore City, the Maryland Annotated Code provides that no new license or removal of
18 an existing license shall be granted to sell alcoholic beverages in any building located within 300
19 feet of the nearest point of the buildings of a church or of a school, but the license of any person
20 who held a license at the time the law was enacted may be renewed or extended for the same
21 building.

22 In other subdivisions, State law provides that the prohibited distance of liquor establishments
23 is greater than 300 feet. For example, in Montgomery County, the Board may not issue any
24 license to sell alcoholic beverages within 750 feet of any secondary or elementary school, church
25 or other place of worship, or youth center sponsored or conducted by any government agency.

26 As noted in 08-0031R – Informational Hearing - Board of Liquor Licenses Commissioners
27 for Baltimore City, communities across Baltimore City have consistently voiced concerns about
28 the number of establishments that sell liquor in residential neighborhoods. The relationship

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

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1 between a liquor establishment and the surrounding community can become acrimonious, as
2 some residents view these businesses as magnets for any manner of alcohol-fueled disturbances,
3 and the influx of cars into a residential neighborhood leads to parking problems for the people
4 who live there.

5 Furthermore, the sale of alcohol to minors has been an exceedingly troubling complaint.
6 Communities have identified those establishments that, almost as policy, knowingly sell to
7 minors. Many times this conduct is undeterred by fines, as it is more lucrative to sell to minors
8 than it is unprofitable to receive the fines.

9 The saturation of a community with liquor outlets has been shown to be an important
10 component of the social infrastructure that destabilizes communities. It is imperative that
11 government agencies with authority over land-use and/or liquor licenses help fight crime and
12 blight and improve the quality of life, by controlling licenses to sell alcohol and the location and
13 proliferation of licenses.

14 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
15 members of the Baltimore City Board of Liquor License Commissioners are requested to report
16 to the City Council on the procedures utilized to enforce the prohibition against the existence of
17 liquor establishments within 300 feet of a church or a school and to consider the feasibility of
18 requesting the Honorable Members of the Baltimore City Senate and House Delegations to the
19 2009 Maryland General Assembly to introduce legislation to increase the distance of the
20 prohibition.

21 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
22 Board of Liquor License Commissioners , the Honorable Chairs and Members of the Baltimore
23 City Senate and House Delegations to the 2009 Maryland General Assembly, the organizations
24 listed in the Planning Department Directory of Community Associations, and the Mayor's
25 Legislative Liaison to the City Council.