



Legislation Text

File #: 08-0072R, Version: 0

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: President Rawlings-Blake

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
Board of Liquor License Commissioners - Location of Outlets Near Church or School

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

Recitals

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

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

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

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

As noted in 08-0031R - Informational Hearing - Board of Liquor Licenses Commissioners for Baltimore City, communities across Baltimore City have consistently voiced concerns about the number of establishments that sell

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

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

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

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

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

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