City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

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        INTRODUCTORY*

        CITY OF BALTIMORE
        COUNCIL BILL   R
        (Resolution)

Introduced by: Councilmember Henry

        A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
Request for State Legislation - Transfer of Liquor Licenses

FOR the purpose of requesting that the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2014 Maryland General Assembly introduce legislation governing the transfer of liquor licenses.

        Recitals

   State law authorizes the Board of Liquor License Commissioners for Baltimore City to issue licenses governing the sale and consumption of beer, wine, and liquor and to approve or deny the transfer of these licenses between private parties when the business is offered for sale or otherwise conveyed to new ownership.

   While many licensees are upstanding corporate citizens, trying hard to be good neighbors to their surrounding residents, communities across Baltimore City have consistently voiced concerns about those licensees who see their business as nothing more than an opportunity to prey on the vulnerable populations nearby.

   As previously referenced in the recitals of Resolution 08-0031R, 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."

   One of the difficulties facing both the communities of Baltimore City, and its Board of Liquor License Commissioners, is that the state law regulating these licenses allows the Board to consider only the character of the applicant when considering a transfer of a license. Since so many of the situations in which a community is unhappy with a licensee involve chronic neighborhood disruptions already in existence, and since this information cannot be considered when deciding whether or not to allow the transfer of a license, many chronically bad businesses remain so over the years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2014 Maryland General Assembly are requested to introduce the legislation governing the transfer of liquor licenses including the following language:

Article 2B. Alcoholic Beverages

Title 10. Licenses

Subtitle 2. Procedure for Issuance

§ 10-202. Issuance of license; Board of License Commissioners

(e)(2)(i) On receipt of an application for a new license, a transfer of a license, a change in the class of the license, a request for live entertainment on the licensed premises, or an extension of the licensed premises, the Board of License Commissioners for Baltimore City shall advertise and post notice of the application or request in accordance with this paragraph.

(iii) The Board shall hold a public hearing on each request for a new OR TRANSFERRED license, a change in the class of license, a request of live entertainment, or an expansion of the licensed premises. IN ALL HEARINGS UPON APPLICATIONS AND REMONSTRANCES UNDER THE PROVISIONS OF THIS ARTICLE, THE GENERAL REPUTATION OF THE APPLICANT OR LICENSEE AND OF THE PLACE OF BUSINESS AND OF THE PEOPLE WHO CONGREGATE THEREIN OR THEREAT SHALL BE ADMISSIBLE IN EVIDENCE.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Governor, the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2014 Maryland General Assembly, the Executive Director of the Mayor's Office of State Relations, and the Mayor's Legislative Liaison to the City Council.

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