

AUGUST 26, 2020 WORK SESSION CANCELLED

**QUEEN ANNE'S COUNTY BOARD OF LICENSE COMMISSIONERS
WORK SESSIONS
MONDAY, AUGUST 17 AND WEDNESDAY, AUGUST 26, 2020
9:00 A.M.**

For the 8/17 meeting, the agenda will include the following:

I. Applications

- Revisions to the initial application (*Jeff will be providing us with the revised applications at the meeting*)
- Revisions to the renewal application (*Jeff will be providing us with the revised applications at the meeting*)
- ETA for online applications and payment processing

II. Renewals

- Approve completed renewals (*Tom and/or Cathy will be giving us the spreadsheet that documents which renewals are ready to be approved as well as any outstanding issues for others*).
- Update on status of remaining renewals

III. Liquor Board-Proposed legislative changes

- Alter the timeframe for inspections (*Inspector Calmon provided Jeff with the proposed change and Jeff will have it in the legislative format we use at the hearing*)
- Clarify AB Section 27-1903 to allow for any employee to be present and not restrict it to just the licensee/designated employee or to restrict who can be a designee under the statute
- 2020 HB 39
- IV. Review licensee-proposed legislative changes (if any) to determine if additional information is required before 8/26 meeting.

V. Liquor Board-Proposed regulation changes (*The only proposals received thus far are below - please have language ready if you have additional proposals:*)

- Commissioner Beery's proposed changes/additions
 - **Addition to 2.20.**

“ This includes the use of what is commonly referred to as a Go Cup”.
 - **Addition to 2.36**
 - In the 1st. sentence after six o'clock am “or at any time when closed to the general public”
 - **New Rule: Non-Use**

Any Licensee whose establishment is going to be closed for more than ten consecutive calendar days must obtain the prior written approval of the Board. Failure to comply may result in a Board finding that the license is no longer an accommodation to the public, and may not be qualified for renewal.

- **New Rule:** Promotions and Outside Events

Promotions and Outside Events approved or sponsored by the licensee, on the licensee's parking lot or adjacent areas of the Licensed premises, for the benefit of the licensee or any other entity, charitable or not that anticipates 50 or more participants, must be reported to the Board, at least seven days, in advance of the event.

- **New Rule:** Consumption or Intoxication while on Duty

Licensees, Managers, and Employees shall not consume or be under the influence of any Alcoholic Beverage, while on duty, at the establishment.

- **New Rule:** Private Parties

When a Licensed premise or any area of the premise is closed to the public, for private events, whether Alcohol is provided by the Licensee or any user or occupant, with or without a Temporary License, the Licensee is additionally responsible for enforcing the Laws, Rules and Regulations pertaining to Alcoholic Beverages.

- **New Rule:** Population and numerical limitations on certain licenses *Text to be provided*

- Commissioner Jones' proposed changes/additions

- **Revision to Rule 2.20** to allow to-go cups
- **Addition to Rule 2.12 Consumption, possession or sale during prohibited hours**

No alcoholic beverages may be served, dispensed, consumed, sold, furnished or given away by a licensee, his or her agent(s) and/or employee(s) to anyone on any part of the licensed premises during the hours prohibited by law.

- **Addition to Rule 2.40**

Make current section an (a) and then add the following:

(b) Licensee shall keep accurate records of all purchases of alcoholic beverages for 1 year after the date of each purchase. The records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. The records shall be kept on the licensed premises and be made available for inspection by members of the Board, its employees, and all other law enforcement officials.

(c) Licensees, whose licenses authorize consumption on the licensed premises, shall keep accurate records of all sales of alcoholic beverages so that a determination may be made of what portion or percentage of sales are in sealed packages or containers for consumption off the licensed premises. The records shall be kept on premises

and available for inspection by members of the Board, its employees, and all other law enforcement officials.

(d) Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and the last four digits of the respective Social Security numbers of all of their employees. The records shall be kept on the licensed premises and be made available for inspection by members of the Board, its employees, and all other law enforcement officials.

- **Comply with all law, rules, and regulations**

Licensees must operate their establishments at all times in accordance with the requirements of all federal, state, and local laws, regulations, and rules. Licensees shall operate their establishments in such a manner as to promote the general welfare of the community and to avoid disturbing the peace, safety, health, and quiet. Licensees and/or a licensee's agents or employees may not commit or allow the commission on the licensed premises of an act that is contrary to any federal, state or local statute, law, ordinance, rule, or regulation, or of any act that is against the public peace, safety, health, welfare, quiet, or morals.
- **Prohibited Activities by License Type**

(a) Class A: No On-Premise Consumption: The holders of a Class A and Class A-2 license shall not allow patrons that purchase alcoholic beverages for off-premise consumption to consume those alcoholic beverages on location of the premises at any time during the operation of the business.
- **Severability**

If any rule or regulation of these Rules and Regulations is held to be unconstitutional, invalid, or inapplicable to any person or circumstance by the final decision of a Court of competent jurisdiction, all other rules or regulations of these Rules and Regulations and their application to all other persons and circumstances are severable and remain unaffected by the decision.
- **Cooperation**

Licensees and their agents and employees shall cooperate with representatives of the Board, Health Department, Fire Department, Planning and Zoning, Law Enforcement, and any other representatives of other governmental agencies who are on official business.
- **False Statements**

Applications for License: An applicant for a license or a licensee may not make a false statement, material or otherwise, in an original application for an alcoholic beverage license, renewal application, letter or written statement, in testimony before the Board or to any other representative of the Board conducting an official investigation.
- **Hearing Procedures** *(too long to type, but proposing we publish the process of a new/ transfer hearing, violations hearing, consent hearing, etc. so that participants know what to expect -- could be handled separately and not as a regulation).*
- Inspector Calmon's proposed changes/additions
 - **New Definition and/or Rule:** Immediate Consumption
 - (a) Immediate consumption means to be consumed within three days of mixing.
 - (b) Pre-mixing batches of alcoholThe Board will allow a Class B, C, or D licensee to pre-mix alcoholic beverages for

high-capacity or specialty drinks. Any-premix container must not be allowed to sit for more than three days. Each pre-mix container must have the following information affixed to the container, the date the pre-mix was placed in the container, the contents of the pre-mix, and the date the container was emptied and cleaned. The container must be cleaned prior to be used for another pre-mix or as often as the health department requires if less than three days.

(c) Class A licenses are not permitted to mix alcohol.

o **New Rule or addition to Rule 2.07:** Communications

(a) Licensees shall provide the Board with a functional telephone number, home address, work address, email address, and cell number for the licensee and the licensed premises.

(b) Consistent with Rule 2.07, entitled Change In Information, the licensee must report any changes to any of the info listed in (a) above to the Board within 10 days of the change.

For the 8/26 meeting, the agenda will include the following:

I. Outstanding items from 8/17 meeting

II. Licensee proposed changes