

Caroline County

Board of License Commissioners

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RULES & REGULATIONS

The Board of License Commissioners for Caroline County, Maryland, pursuant to the authority contained in Article 2B of the Annotated Code of Maryland (2002 Edition with supplements) hereby repeals and re-enacts its Rules and Regulations as follows:

1. **ALCOHOL AWARENESS** – A licensee who is authorized to sell alcoholic beverages or an employee designated by the licensee must complete training in an approved Alcohol Awareness Program certified by the State Comptroller. A copy of their certification must also be submitted along with the annual renewal application. (*Section 13-101*)
2. **APPEALS** – For appeal of the Board's decision to Circuit Court, testimony transcribed of hearings will be provided upon written request of the licensee, applicant or protestants. The party requesting it shall pay total cost of such transcripts. Appeal shall be filed within thirty (30) days after date of decision.
3. **BEER** – Any brewed alcoholic beverage, including beer, ale, porter and stout. (*Section 1-102*)
4. **CLASS B OR H (RESTAURANT) LICENSE HOLDERS** – Restaurant licenses shall be issued in a permanent building equipped with sufficient dining and kitchen facilities for preparing and serving regular meals to the general public. A menu shall be maintained, advertising the serving of a variety of foods. Average daily receipts from the sale of food and nonalcoholic beverages shall comprise at least 51 percent of the average daily receipts from the sale of alcoholic beverages. Licensees are required to complete a Statement of Purchases and Sales of Alcoholic Beverages and Food. This report must be submitted along with the annual renewal application. Quarterly reports may be required if the Board deems them necessary.
5. **CLUB** – An association or corporation which is organized and operated exclusively for educational, social, fraternal, patriotic, political or athletic purposes and not for profit. (*Section 1-102*)
6. **CONSUMPTION ON PREMISES** – No licensee or their agent or employee shall permit the consumption of any alcoholic beverage on the premises other than those purchased from licensee on their licensed premises.

7. **DISORDERLY CONDUCT** – All licensees shall operate their establishments in such a manner as to avoid disturbance of the peace, safety and tranquility of the neighborhood in which the place of business is located. All unnecessary noises, including playing of music, radio, television, singing, loud talking at unreasonable times are prohibited. Congregation of patrons in a noisy, unruly, or disturbing manner after leaving the interior portion of the licensed premises shall be prohibited.
8. **DISPLAY OF LICENSE** – Every licensee shall frame their license under glass and display in their place of business in a conspicuous and easily read manner. (*Section 10-505*)
9. **DISPOSAL OF EMPTY CONTAINERS, NO REFILLING** – No retail dealer or his agent or employee shall reuse or refill any container of alcoholic beverages with any substance whatever after such container has been fully or partially emptied of its original contents; nor shall any licensee adulterate, dilute, or fortify the contents of any such bottle or container. On premise sale licensees are required to properly dispose of all containers of alcoholic beverages after the original contents are emptied.
10. **ELECTION DAYS** – In Caroline County licensees may sell alcoholic beverages according to the hours designated on their license. (*Section 11-401*)
11. **EMPLOYEES** – A person under age 18 may not be engaged in the sale, service, delivery or handling of alcoholic beverages. Any holder of a Class D, Beer, Wine & Liquor license, may not employ a person under age 21 in the sale of alcoholic beverages. A person between ages 18 and 21 may be employed in the sale, service, delivery or handling of beer and light wine. (*Section 12-302*)
12. **FREE FOOD** – No licensee may give or offer to give any food of any kind for the purpose of inducing or influencing the prospective patron to purchase alcoholic beverages in any quantity for consumption on the premises of such licensee. Snack foods may be placed on the counters for the use of patrons without charge. (*Section 12-106*)
13. **GAMES OF CHANCE OR SKILL** – A Class A, Beer, Wine, or Liquor licensee may not allow persons under the age of 18 to engage in pool, billiards, shuffleboard, or the playing of pinball or console machines, or in any other game of chance or skill in the licensed establishment unless those persons under 18 are accompanied by a parent or legal guardian. (*Section 12-206*)
14. **GRANTING OF LICENSE** – If the Board approves a new or transfer license application and the license is not in use ten (10) days from the date of approval, the license approval may be declared void.
15. **LIGHT WINE** – Any naturally fermented beverage containing 22% or less of alcohol by volume. (*Section 4-101*)
16. **MARYLAND SALES & USE TAX LICENSE** – Every licensee shall supply the Board with a copy of their Maryland Sales & Use Tax License, said license shall be issued prior to the issuance of any alcoholic beverage license by the Board.


17. **MINORS AND INTOXICATED PERSONS** – No licensee or any of their employees, shall sell or furnish any alcoholic beverages at any time to a minor under twenty-one years of age, either for his own use or the use of any other person, or to any person who, at the time of such sale or delivery, is visibly under the influence of any alcoholic beverage. *(Section 12-108)*
18. **OUTSIDE SOLICITATION** – No licensee shall employ any solicitor or salesman for the purpose of soliciting orders for alcoholic beverages outside the licensed place of business and no sale may be consummated outside the licensed place of business as designated on your original application. *(Section 12-301)*
19. **POSSESSION ON LICENSED PREMISES** – No licensee or their employees shall have in their possession at any place on the licensed premises any alcoholic beverages which their license does not permit the licensee to sell.
20. **PREMISES** – Includes any building, parking lot, terrace or grounds which form an integral part of the licensed premises as approved in the site plan submitted with the original license application.
21. **PROHIBITED HOURS OF CONSUMPTION** - No person shall consume any alcoholic beverages on any premises open to the general public between the hours of two o'clock a.m. and six o'clock a.m. and no licensee, owner or operator shall knowingly permit such consumption. All tables and counters must be clear of bottles, glasses or cups containing any alcoholic beverages after the two o'clock a.m. closing hours.
22. **PURCHASES FROM ANOTHER RETAIL DEALER** – No retail dealer is permitted to purchase alcoholic beverages from another retail dealer, nor is a retail dealer permitted to sell alcoholic beverages to another retail dealer. All alcoholic beverages must be purchased from and sold by a licensed wholesaler. Special and Temporary licensees are exempted from this prohibition. *(Section 12-107)*
23. **RECORDS** – All licensees shall maintain appropriate records of their transactions in alcoholic beverages. These records must be kept on the premises where alcoholic beverages are sold for at least two years, and made available for inspection by authorized personnel of the Comptroller's Office and the Board of License Commissioners. *(Section 14-201)*
24. **RENEWAL APPLICATIONS** – Applications for renewal of alcoholic beverage licenses must be filed with the Board of License Commissioners for Caroline County at least thirty (30) days prior to expiration of present license. Applications filed after the first Friday in April through the third Wednesday in April shall be subject to a penalty of \$100. Applications filed after the third Wednesday in April shall be subject to a penalty of \$400. No revision in licensees, classification, location, etc. may be processed on a renewal application. All such revisions or applications for transfer must be finalized by March 1st or after May 1st renewal has been issued. All State (Retail Sales, Employee Withholding, Amusement, Admission) and County taxes must be paid before the renewal license is issued.

25. **SAFETY AND SANITATION** – Licensees shall operate at all times in accordance with the requirements of the Health Department of Caroline County, the Building Code of Caroline County, the State of Maryland Plumbing Code, and the rules and regulations of the State Fire Marshall.
26. **SALES CONTROL** – In order for licensees and their employees to be able to determine and control the amount of alcohol to be sold and consumed by the public, neither the licensee nor any of their employees shall consume any alcoholic beverages while engaged in the sale or dispensing of alcoholic beverages. No server shall consume or be under the influence of any alcoholic beverages.
27. **STATE AND LOCAL TAXES** – Upon application for transfer, exchange or renewal, the applicant shall affirm that all taxes due to State and local agencies, including sales and use tax, withholding tax and admissions tax are current and up-to-date.
28. **STORAGE** – No licensee shall store or keep any alcoholic beverages anywhere other than on their licensed premises or any other storage area permitted by the Comptroller's Office. (*Section 12-105*)
29. **TAVERN** – No Class "D" license holder, shall permit any person under the age of twenty-one years in or on said premises at any time when said establishment is open for business, and each employee shall take full responsibility to see that all persons under the age of twenty-one are excluded therefrom. Every such license holder shall post upon the outside of the entrance to their establishment, clearly visible signs stating "NO ONE UNDER 21 YEARS OF AGE ALLOWED" in large bold type.
30. **TEMPORARY CLOSING** – A holder of any alcoholic beverage license may not close their business for a continuous period of more than ten (10) days without written application in advance to the Board of License Commissioners for an additional period not to exceed twenty (20) days, to avoid undue hardship. (*Section 10-504*)
31. **TIME** – Hours and days of sale as indicated by the license shall be on the basis of Eastern Standard or Daylight Saving time, whichever is in general use within the area.
32. **TRADE NAME** – No licensee may change the name of his establishment without prior approval from the Board of License Commissioners. The trade name shall be displayed prominently on the outside of the licensed establishment.
33. **TRANSFER OF LICENSE** – No license holder is permitted to transfer an Alcoholic Beverage License without first filing an application for transfer with the Board of License Commissioners.
34. **UNLAWFUL SALES** – No licensee shall sell or otherwise distribute any alcoholic beverages to any person if there is reason to suspect that such person intends to unlawfully distribute such alcoholic beverages.
35. **ZONING** – No license shall be issued nor shall the premises be used in any way which violates any zoning or other statutory land use restriction.

ADDITIONAL LAWS REGULATING THE SALE OF ALCOHOLIC BEVERAGES WITHIN CAROLINE COUNTY ARE CONTAINED IN ARTICLE 2B OF THE ANNOTATED CODE OF MARYLAND.

The foregoing Rules and Regulations have been adopted this 15th day of January, 2003.

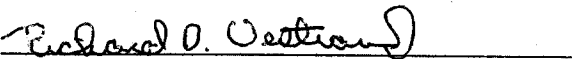
BOARD OF LICENSE COMMISSIONERS



William W. Satterfield, Chairman



T. Robert Gray, Member



Richard D. Vestrand, Member

ATTEST:



Crystal L. Porter, Clerk