

Board of Liquor License Commissioners for Baltimore City: 2016 Policy and Procedure Manual



Albert J. Matricciani, Jr.

Chairman

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Commissioner

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Commissioner

Harvey Jones

Alternate Commissioner

Douglas K. Paige
Acting Executive Secretary

Thomas R. Akras, Esq.
Deputy Executive Secretary

BLLC Policy & Procedure Manual

I. Overall Guiding Documents (Not Attached)

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II. Operations Handbook

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Acknowledgment and Receipt

I, _____, have received my copy of the 2016 Policy and Procedure Manual for the Board of Liquor License Commissioners for Baltimore City (BLLC).

The Manual provides important information about BLLC, and I understand that I should consult BLLC Management regarding any questions not answered in the Manual.

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with BLLC. By distributing this manual, BLLC expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

I have received the Manual, and I understand that it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it.

Employee's Signature

Employee's Name (Print)

Date

Section 1: General Procedures



Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.01	Pages: 1
Title: Board Mission and Vision		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to all BLLC staff concerning the Board’s Mission and Vision.

Responsible Staff: All staff will be responsible.

Mission Statement: The Board of Liquor License Commissioners for Baltimore City (BLLC) is tasked with licensing and regulating alcoholic beverage and adult entertainment establishments in Baltimore City. The BLLC promotes transparency and clarity for all stakeholders by utilizing a highly collaborative process with various governmental and community stakeholders through which it develops City-wide rules and policy. This process furthers BLLC’s primary mission to regulate alcoholic beverage and adult entertainment licenses in compliance with Federal, State, and local law.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.02	Pages: 2
Title: Sign-in and Sign-out Procedures		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to all BLLC staff concerning time sheet procedures.

Responsible Staff: All staff will be responsible for filling out a sign-in/sign-out log (“Time Card”).

Staff Monitor: The Executive Secretary will be responsible for Executive-Level Staff; the Chief Inspector will be responsible the Inspection Staff; the Assistant Executive Secretary will be responsible for the Administrative Staff.

Policy: Sign-In/Sign-Out Log

- (1) All BLLC personnel shall be required to maintain a sign-in/sign-out log that will log, monitor, and record hours worked for each distinct pay period.
- (2) The sign-in/sign-out log shall be maintained by the employee in an electronic format and be submitted electronically on the last day of the payroll by the employee to his or her supervisor. BLLC staff shall submit their sign-in/sign-out logs to the corresponding Executive Staff below:

Type	Level 1	Level 2	Level 3
Inspections	<i>Chief Inspector</i>	<i>Assistant Executive Secretary</i>	<i>Assistant Chief Inspector (If Applicable)</i>
Administrative	<i>Assistant Executive Secretary</i>	<i>Deputy Executive Secretary</i>	<i>Executive Secretary</i>
Management	<i>Executive Secretary</i>	<i>Executive Secretary or Board Designee</i>	

- (3) BLLC staff shall submit their sign-in/sign-out logs to their assigned supervisor no later than the Thursday preceding the last day of the pay period in order for assigned BLLC staff to complete payroll. The sign-in/sign-out log should note leave and/other hours being requested.
- (4) Any concerns raised in the review of an employee’s sign-in/sign-out log shall be directed to that employee’s direct supervisor. The assigned supervisor will then perform a review of the employee’s sign-in/sign-out log and investigate any inconsistencies found.

- (5) Upon identification of under-reported or over-reported hours of work, the supervisor shall discuss the matter with the affected employee and may amend the sign-in/sign-out log and submit to BLLC staff for processing. If the affected employee disagrees with the resolution implemented by the supervisor, the matter will be referred to the Executive Secretary who shall make the final decision concerning the accuracy of the employee's sign-in/sign-out log.
- (6) No BLLC employee shall sign-in or sign-out nor shall maintain a sign-in or sign-out log for another BLLC employee. Emails and other information can be used to verify work attendance and assignments by management.
- (7) In the case of illness, injury, or other prolonged absence, the supervisor may complete the sign-in/sign-out log for the employee and note other documentation as per City of Baltimore policy.
- (8) If an employee has planned leave, sign-in/sign-out logs should be completed in advance so that payroll records can accurately reflect hours and leave usage. Corrections should be noted to the timekeeper and supervisor.
- (9) Changes to sign-in/sign-out logs due to additional shifts and/or reductions must be provided to the timekeeper in writing so that records can accurately reflect the time worked. These revision sheets must be noted as such and should be signed by the supervisor.

Attachment A: Sign-in/sign-out log Example

BLLC Time Card

Name _____
 Title: _____
 Manager/Supervisor: _____
 Payroll Beginning: _____
 Payroll Ending: _____

Day	In	Out	Regular Hrs.	Comp/Overtime	Personal Used	Sick Used	Vacation Used	Comp Used
Saturday, October 10, 2015								
Sunday, October 11, 2015								
Monday, October 12, 2015								
Tuesday, October 13, 2015								
Wednesday, October 14, 2015								
Thursday, October 15, 2015								
Friday, October 16, 2015								
			Total Hrs.					

Day	In	Out	Regular Hrs.	Comp/Overtime	Personal Used	Sick Used	Vacation Used	Comp Used
Saturday, October 17, 2015								
Sunday, October 18, 2015								
Monday, October 19, 2015								
Tuesday, October 20, 2015								
Wednesday, October 21, 2015								
Thursday, October 22, 2015								
Friday, October 23, 2015								
			Total Hrs.					

I certify that the information above accurately reflects my working hours and leave use. Comments/Notes

Employee signature _____ Date _____

Manager signature _____ Date _____

* Payroll sheets must be signed and by a supervisor for approval

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.03	Pages: 1
Title: Parking		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To establish parking guidelines and direction for the use of parking privileges by BLLC employees. All parking privileges are to be used responsibly while employees are conducting business on behalf of the BLLC. Violation of this policy can lead to a revocation of parking privileges and/or possible discipline.

Staff Monitor: Staff will be monitored by the Chief Inspector, Deputy Executive Secretary, and Executive Secretary.

Policy: Parking

(1) Parking Pass Assigned

- a. If an employee has been issued an employee access card to a parking garage, the employee shall use the garage appropriately and for work-related purposes.

(2) Official Business Permit

- a. The Official Business Permit issued by the Parking Authority of Baltimore City (PABC) allows employees to park at any metered space for the allotted time as prescribed by the meter and/or traffic control devices posted on the sidewalk when in attendance or conducting work for the BLLC.
- b. Employees are to follow all of the rules and regulations concerning the Official Business Parking Permit as stipulated in Attachment A: "Official Business Parking Permit."
- c. Employees will receive citations from the Department of Transportation and/or Baltimore City Police Department if they are found in violation of the rules and regulations prescribed by the traffic control device.

(3) Reserved Spaces on 200 Block of East Baltimore Street

- a. Unless authorized by the Executive Secretary, inspectors and administrative staff are not to utilize the reserved Board of Liquor License Commissioners on-street parking spaces located on the southern side of the 200 block of East Baltimore Street.

Staff will follow the above policy as noted and alert management should issues arise.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.04	Pages: 2
Title: Conduct and Behavior		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To outline conduct and behavior for BLLC employees. The purpose of this policy is to ensure that BLLC staff and management work together respectfully in a consistent and professional manner, ensuring that work is completed thoroughly, completely, and within the guidelines set by the Board.

Responsible Staff: All full-time employees and contract employees of BLLC will be responsible.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary, Deputy Executive Secretary, and Executive Secretary.

Policy: The effectiveness of BLLC relies on skillful, tactful, and efficient handling of customer requests, applications, and constituent complaints by its employees. The failure to follow directives adversely affects BLLC productivity and output. Therefore, it is imperative that BLLC employees follow instructions as given by supervisory and/or management staff.

- (1) **Insubordination:** This is defined as any act of defiance, disobedience, dissension, or resistance to authority. The City of Baltimore’s Civil Service Rule 40, “Standards of Conduct and Performance,” states:
 - a. *Employees shall perform the duties and responsibilities of their job classifications, in accordance with reasonable job performance standards established by their superiors.*
 - b. *Employees shall report to work on time as scheduled, and shall follow all established rules and policies for leave.*
 - c. *Employees shall be businesslike, helpful, and courteous to the general public, clients, co-workers and superiors, exercising due discretion and patience at all times.*
 - d. *Employees shall conduct themselves at all times in a manner becoming of a City employee, and shall not bring scandal, expense, or annoyance upon the City through crime, conflict of interest, failure to pay just debts, or other improper or notorious behavior. NO employee is required to carry out any directive that would jeopardize their health and safety, violate any federal, state, county, or municipal laws, or involve the breach of any of the rules, regulations, policies, or procedures of this department.*
- (2) **Infractions:** This policy does not contain a comprehensive list of all scenarios of insubordination that can occur. The examples below are common but not all-inclusive.
 - a. Failure to communicate in a professional manner and tone to a co-worker, member of the

public, supervisor, and/or manager will be considered as insubordination.

- b. Any employee who uses profane or obscene language toward a co-worker, member of the public, his/her supervisor, and/or or any public official is in direct violation of this policy.
- c. Any employee who threatens physical violence or attempts to carry out any threat of any type against a co-worker, member of the public, supervisor, manager, and/or public official is in direct violation of this policy.
- d. Any employee who has been denied leave but calls-out for their scheduled shift on that day is in direct violation of this policy.
- e. Any employee who asks to leave work before the end of his/her scheduled shift, and is not given permission to do so but and leaves anyway, is in direct violation of this policy.

(3) Employee Responsibilities:

- a. Follow all directives given by supervisory and management staff.
- b. Conduct themselves in a professional and business-like manner at all times.
- c. Speak to and respond to other co-workers, members of the public, supervisory and/or management staff in a calm and respectful tone at all times.

(4) Supervisor Responsibilities:

- a. Provide directives in a professional manner and tone at all times.
- b. Conduct themselves in a professional and business-like manner at all times.
- c. Speak to and respond to employees, members of the public, co-workers, and management staff in a calm and respectful tone at all times.
- d. Follow all directives given by management.
- e. Strictly monitor the activity of employees to ensure this policy is administered consistently.

(5) Infractions:

- 1st Incident: Verbal Warning
- 2nd Incident: Written Warning
- 3rd Incident: Written Warning
- 4th Incident: Written Warning
- 5th Incident: One (1) day suspension with Employee Assistant Program recommendations
- 6th Incident: Two (2) day suspension
- 7th Incident: Three (3) day suspension
- 8th Incident: Four (4) day suspension
- 9th Incident: Five (5) day suspension
- 10th Incident: Recommendation for Termination
- Receiving the 9th or 10th incident twice in a six (6) month period is grounds for recommendation for termination.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.05	Pages: 3
Title: Social Media		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To define the guidelines that govern the use of social media while at work, as well as the appropriate use of social media during personal time at the workplace. This policy seeks to ensure that BLLC employees understand the risks and responsibilities associated with using social media and to provide assistance in making responsible decisions when doing so.

Responsible Staff: All full-time employees and contract employees of the BLLC are responsible.

Scope: This policy applies to all employees of the BLLC, contractors, and temporary staff members. Managers and supervisors should use the identified Social Media Management Procedures for additional guidance in administering the policy.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary, Deputy Executive Secretary, and Executive Secretary.

Policy: Social Media

- (1) **Definition:** Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's:
 - a. Web log or blog
 - b. Journal or diary
 - c. Personal website
 - d. Social networking or affinity website
 - e. Web bulletin board or chat room, whether or not associated or affiliated with MOIT,
 - f. As well as any other form of electronic communication.
- (2) **Policy Statement:** The use of social media while at work is strictly prohibited. All BLLC employees, contractors, and/or temporary workers are prohibited from using social media while on work time or on equipment owned by BLLC, unless it is work-related as authorized by your manager. BLLC email addresses are not to be used to register on social networks, blogs, or other online tools utilized for personal use. Under no circumstances will any BLLC employee or contractor post BLLC-related information without the approval of the Assistant Executive Secretary, Deputy Executive Secretary, the Executive Secretary, or his/her designee.

Each BLLC staff person is solely responsible for what he/she posts online. Before creating online

content, consider some of the risks and rewards that are involved. Keep in mind that any/all of your on-line conduct that adversely affects your job performance and/or adversely affects customers, co-workers, members of the public, public officials, and/or BLLC's legitimate business interests may result in disciplinary action up to and including termination.

(3) Procedures

a. Know and Follow the Rules

- i. Carefully read these guidelines to ensure that your postings are consistent with these policies.
- ii. Any postings that include discriminatory remarks, harassment, and/or threats of violence or similar inappropriate or unlawful conduct toward BLLC employees, customers, members of the public, and/or public officials will not be tolerated and may subject you to disciplinary action up to and including termination.

b. Be Respectful

- i. Always be fair and courteous to fellow associates, customers, suppliers, vendors and/or people who work on behalf of BLLC.
- ii. Should you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening or intimidating, that disparages customers, co-workers, management, suppliers, vendors, or that might constitute harassment or bullying.
- iii. Examples of such conduct might include:
 1. Offensive posts meant to intentionally harm someone's reputation
 2. Posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or agency policy.

c. Be Honest and Accurate

- i. Make sure that you are always honest and accurate when posting information or news. If you make a mistake, correct it quickly. Be open about any previous posts you have altered.
- ii. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched.
- iii. Never post any information or rumors that you know to be false about BLLC, fellow employees, members of the public, public officials, customers, or people working on behalf of BLLC.

d. Post Only Appropriate and Respectful Content

- i. Maintain the confidentiality of BLLC trade secrets and private or confidential information. Trade secrets may include information regarding the status of an application, the issuance of a license, the findings of an on-going investigation, etc. Do not post internal reports, policies, procedures, or other internal business-related confidential communications.
- ii. Express only your personal opinions. Never represent yourself as a spokesperson for

BLLC. If BLLC is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of BLLC, fellow employees, customers, suppliers, or people working on behalf of BLLC.

- iii. If you publish a blog post online related to the work you do for BLLC, and/or post subjects associated with BLLC, make it clear that you are not speaking on behalf of BLLC. It is best to include a disclaimer, such as “The postings on this site are my own and do not necessarily reflect the views of BLLC.”

e. **Retaliation is Prohibited**

- i. BLLC prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any associate who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

f. **Cyber Security Caution**

- i. All should keep in mind that Hackers and Cyber Criminals use information obtained from social media sites to target individuals for Cyber-attacks and or Hacks. The following is posted by the FBI at <https://www.fbi.gov/about-us/investigate/counterintelligence/internet-social-networking-risks>:

1. “Once information is posted to a social networking site, it is no longer private. The more information you post, the more vulnerable you may become. Even when using high security settings, friends or websites may inadvertently leak your information.

Personal information you share could be used to conduct attacks against you or your associates. The more information shared, the more likely someone could impersonate you and trick one of your friends into sharing personal information, downloading malware, or providing access to restricted sites. Predators, hackers, business competitors, and foreign state actors troll social networking sites looking for information or people to target for exploitation. Information gleaned from social networking sites may be used to design a specific attack that does not come by way of the social networking site.”

g. **Media Contacts**

- i. Employees and contractors should not speak to the media on BLLC’s behalf without contacting the Executive Secretary or his/her designee.

If you have questions or need further guidance, please contact the Executive Secretary.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.06	Pages: 2
Title: Financial Disclosure and Ethics Questions		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To ensure that all employees at hire, and on an annual basis, are in compliance with the Baltimore City Code of Ethics. In addition, this policy will ensure compliance by Board Commissioners and BLLC with State prohibitions restricting their interests in the alcoholic beverage industry while employed by BLLC.

Scope: This Baltimore City Board of Ethics Financial Disclosure Form policy applies to all Board Commissioners and the following staff members within the BLLC: Chief Inspector, Assistant Chief Inspector, all Inspectors, the Assistant Executive Secretary, the Deputy Executive Secretary, and the Executive Secretary. The State Law Conflicts of Interest Question applies to all employees.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary, Deputy Executive Secretary, and Executive Secretary.

Policy:

(1) Filing of Baltimore City Board of Ethics' Financial Disclosure Form

a. Commission Members and Select BLLC Staff Are Affected

- i. As per Baltimore City Ethics Code, all Commission members and the following BLLC staff must file an annual Financial Disclosure Form with the Board of Ethics for Baltimore City: Chief Inspector, Assistant Chief Inspector, all Inspectors, the Assistant Executive Secretary, the Deputy Executive Secretary, and the Executive Secretary

b. Upon Hire, Affected Members and Staff Shall File Financial Disclosure

- i. Upon hire, all Commission members and applicable BLLC staff shall file a Financial Disclosure Form with the Board of Ethics for Baltimore City within thirty (30) days of hire.

c. Annual Re-Filing of Financial Disclosure is Required

- i. Between March 1 and April 30 of each year, all Commission members and applicable BLLC staff shall file a Financial Disclosure Form with the City of Baltimore. The Financial Disclosure Form can be filed online:

<https://ethicsforms.baltimorecity.gov/layouts/EthicsForms/Home.aspx>

(2) Ethics Question: State Law Conflicts of Interest

a. All Commission Members and BLLC Staff Are Affected

- i. As per Baltimore City Ethics Code, all Commission members and all staff members shall provide information to BLLC concerning their interests or lack thereof in the alcohol beverage industry in any manner.
- b. Upon Hire, All Employees Shall Answer the “Conflicts of Interest Question”**
- i. Upon hire, all Commission members and BLLC Staff shall answer and, if necessary, provide information pertinent to the following question within thirty (30) days:
 - 1. *Do you personally have any financial or proprietary interests in any wholesaler, distributor, or retail vendor of alcoholic beverages?*
 - If so, please provide the type of interest (% interest owned), name of the entity, location of the entity, and the names of all other individuals or entities that have an ownership interest in the entity.*
 - ii. **“Financial or proprietary interests”** mean ownership of:
 - 1. More than 3% of a business entity,
 - 2. Securities of any kind that represent or are convertible into ownership of more than 3% of a business entity, or
 - 3. Any interest as the result of which the owner:
 - a. Received more than \$1,000 in any one (1) of the preceding three (3) calendar years, or
 - b. Is entitled to receive more than \$1,000 in the current or any subsequent calendar year.

(3) Annual Re-filing of Financial Disclosure Is Required

- a. Between March 1 and April 30, the Deputy Executive Secretary shall email “Conflicts of Interest Question” to all staff.
 - i. Staff shall have thirty (30) days from the time of issuance to respond to the Conflicts of Interest Question.

(4) Answers Will Be Subject to Review Within 30 Days of Submission

a. Executive Secretary Review

- i. Upon submission of both the financial disclosure form and the Conflicts of Interest Question response, the Executive Secretary or his/her designee shall review the answers provided within thirty (30) days.
 - 1. **No Conflicts of Interest Found**
 - a. If no conflict of interest is found, the Executive Secretary shall make a copy of the Conflicts of Interest Question response and place it in the file. The online copy of the Baltimore City Board of Ethics Financial Disclosure form is a public document and does not need to be warehoused by BLLC.
 - 2. **Conflict(s) of Interest Found**

- a. If upon review of either the Financial Disclosure Form or the Conflicts of Interest Question response, a conflict of interest is found, then the Executive Secretary or his/her designee will refer the issue to the Baltimore City Board of Ethics for investigation and review. BLLC will defer to the Baltimore City Board of Ethics and its recommendations concerning how to ensure compliance with the Baltimore City Ethics Code.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.07	Pages: 6
Title: Positions/Hierarchy/Evaluations		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: This policy enumerates various positions filled by the agency to perform its day-to-day functions and provides brief descriptions of each position. In addition, this policy provides the hierarchy and division of labor within BLLC and a timeline for evaluations of staff to be performed by BLLC’s executive administration.

Staff Monitor: This SOP will remain in place until further notice or until the City of Baltimore’s Department of Human Resources (DHR) amends the specifications of positions within the agency and/or evaluation process.

Policy: Positions, Hierarchy, Evaluations

(1) Positions within the Agency

a. Executive Staff Positions

- i. **Executive Secretary** – Plans, directs, coordinates and evaluates, through subordinate managers, the various operating activities and programs of BLLC. Assists BLLC by reading correspondence and reports and summarizing information to facilitate the Board's review; prepares technical and complex reports; maintains personal and confidential files and oversees the maintenance of other important and sensitive record systems. Responsible for management of such office services as public Board hearings, liquor license renewal processing, posting of liquor license fines and suspensions, prospective liquor licensee criminal background investigations, records-maintenance and -control; and office management studies. Reviews Liquor Board office procedures, forms, and records; interviews others to collect information; designs procedures, forms, and records systems; presents to Liquor Board information and recommendations on designs; develops, revises, or implements work procedures to improve effectiveness and efficiency or to accommodate changes in operations or new functions. Attends and participates in Liquor Board meetings by preparing licensee directories, maintaining transfer license conference files, updating the Board computerized licensee database, publicizing Board meetings, and taking minutes of Board actions and decisions; represents superiors at meetings, conferences, and similar situations to gather or present information reviews. Interprets, approves, and implements new, revised, or amended departmental policies, practices, and procedures to ensure departmental efficiency and compliance with City, State, and Federal laws and regulations. Advises Commission members on agency inspections, pending matters scheduled for judicial review, scheduled public hearings, agency operations, activities, long-range goals, problems, responses to emergency situations, and new or amended legislations; recommends changes in City policies and procedures. Coordinates the activities and programs of the department with other City, State, and Federal agencies. Speaks and testifies before the media, governmental councils and commissions, and businesses and community groups on departmental projects, plans, goals, and activities. Oversees staff development and directs the implementation of new methods and procedures in the department.

- ii. ***Deputy Executive Secretary***: A barred attorney in the State of Maryland who provides legal counsel to the Executive Secretary and members of BLLC, performs necessary legal work related to the Board and licensee matters, and assists in overseeing the day to day operations of the agency. Serves as the assistant department head of BLLC; provides in-house legal counsel to the agency; and assists in directing the daily activities of the agency, departments, and programs. Drafts and manages the docket of Board hearings, reviews and processes legal actions, weighs the merits of legal arguments, and applies applicable statute to same. Researches, studies, interprets, and applies statutes, ordinances, court decisions, and legal opinions in the preparation of memoranda, briefs, and cases on BLLC matters. Identifies legislative needs and coordinates implementation of legislation as assigned. Assists the Executive Secretary by reviewing correspondence and reports and by summarizing information to facilitate Board's review. Prepares technical and complex reports, maintains personal and confidential files, and oversees the maintenance of other important and sensitive record systems. Assists in facilitating public Board hearings, liquor license renewal processing, posting of liquor license fines and suspensions, prospective liquor licensee criminal background investigations, records-maintenance and -control, and office management studies. Assists in the revision of Liquor Board office procedures, rules, forms, and records, and may present to the Board information and recommendations to improve effectiveness and efficiency to accommodate changes in operations or new functions. Reviews, interprets, approves, and implements new, revised, or amended departmental policies, practices, and procedures to ensure departmental efficiency and compliance with City, State, and Federal laws and regulations. Prepares and drafts the annual agency budget requests for the City of Baltimore. As needed, speaks and testifies before the media, governmental councils and commissions, businesses and community groups on departmental projects, plans, goals, and activities.
- iii. ***Assistant Executive Secretary***: Aids the Executive Secretary and Deputy Executive Secretary by performing secretarial and administrative work, reads correspondence and reports and summarizes information to facilitate superiors' review, composes correspondence independently, may sign routine correspondence for superiors, prepares technical and complex reports, maintains personal and confidential files, and oversees the maintenance of other important and sensitive record systems. Coordinates such office services as public Board hearings, liquor license renewal processing, posting of liquor license fines and suspensions, prospective liquor licensee criminal background investigations, records-maintenance and -control, and office management studies. Studies Liquor Board office procedures, forms, and records; interviews others to collect information; designs procedures, forms and records systems; presents information and recommendations on designs to superiors'; develops, revises, or implements work procedures to improve effectiveness and efficiency or to accommodate changes in operations or new functions. Performs a variety of office support tasks including processing prospective licensee criminal background information forms, maintaining confidential licensee files, completing a variety of standard police, Liquor Board license application and renewal forms, and proof-reading and editing Liquor Board minutes and documents. Maintains appointment schedules and arranges meetings and conferences; suggests and arranges alternate dates when original schedule cannot be met; notifies superiors in advance of meetings and assembles correspondence, files, and other material for meetings. Reviews and answers questions and correspondence from the general public, prospective and current licensees, and government officials concerning Liquor Board policies, practices, activities, meetings, and individual licensing decisions. Attends and participates in Liquor Board meetings by preparing licensee directories, maintaining transfer license conference files, updating the Board computerized licensee database, publicizing Board meetings, and taking minutes of Board actions and decisions; represents superiors at meetings, conferences, and similar situations to gather or present information. Evaluates the performance of; disciplines and recommends the hiring, firing, and promoting of Liquor Board office support personnel; assigns and monitors work, assuring its adequacy in terms of both quantity and quality, and adjusts work priorities as necessary; orients and trains new clerical employees. Establishes and maintains effective working relationships with other employees necessary to expedite matters for superiors.

b. Inspections Division

- i. ***Chief Inspector***: Directs and coordinates the work activities of liquor license inspectors engaged in conducting a wide range of scheduled inspections, unscheduled violation complaint investigations, and unscheduled observations of Baltimore City establishments licensed for the public sale of alcoholic beverages in conformance with State law and agency rules and regulations. Evaluates the performance of;

disciplines; and recommends the hiring, firing, and promoting of subordinate liquor license inspector personnel. Trains subordinate liquor license personnel in liquor license enforcement, investigation, and reporting techniques, policies, regulations and procedures. Reviews and approves all liquor license investigation reports for accuracy, clarity, and adherence to liquor license laws and regulations. Attends public meetings and hearings on liquor license matters to answer questions on liquor license regulations and laws, and reports back to the Liquor Board as needed. Receives and records complaints of liquor license violations from the public, establishes case files and assigns cases to subordinate liquor license inspector personnel, resolves complaint cases through investigations or by referral to the Liquor Board or the Executive Secretary. Reviews, monitors, and ensures the timely investigation and processing of liquor license violation cases. Advises subordinate liquor license inspector personnel of new, revised, and updated liquor license laws, regulations, and policies. Coordinates liquor license investigations and activities with City, State, and Federal law enforcement agencies and personnel.

- ii. ***Assistant Chief Inspector***: Assists the Liquor Board Chief Inspector in coordinating the work activities of liquor board inspectors engaged in conducting a wide range of scheduled inspections, unscheduled violation complaint investigations, and unscheduled observations of Baltimore City establishments licensed for the public sale of alcoholic beverages in conformance with State law and agency rules and regulations. Trains liquor board inspector personnel in liquor license enforcement, investigation and reporting techniques, policies, regulations, and procedures; assigns, reviews, and corrects the work of subordinate liquor board inspector personnel. Reviews and recommends approval of all liquor license investigation reports for accuracy, clarity, and adherence to liquor license laws and regulations. Attends public meetings and hearings on liquor license matters to answer questions on liquor license regulations and laws. Receives and records complaints of liquor license violations from the public, assists in establishing case files and assigns cases to subordinate liquor board inspector personnel, assists in resolving complaint cases through investigations or by referral to the Liquor Board or the Executive Secretary. Reviews, monitors, and facilitates the timely investigation and processing of liquor license violation cases. Advises liquor board inspector personnel of new, revised, and updated liquor license laws, regulations, and policies. Participates with the Chief Inspector in coordinating liquor license investigations and activities with City, State, and Federal law enforcement agencies and personnel. Conducts special and sensitive inspections, investigations, and observations of licensee establishments; issues verbal and/or written instructions to licensees concerning compliance with or violation of pertinent liquor laws and statutes; and works with licensees and neighbors to document and resolve problems.
- iii. ***Inspector III***: Conducts special, high-profile, sensitive, unscheduled, and undercover inspections, violation complaint investigations, and unscheduled observations of Baltimore City establishments licensed for the public sale of alcoholic beverages in conformance with State law and agency rules and regulations. As directed by superiors, serves as a project team leader of Liquor Board Inspectors on inspection teams or special assignments, and assists superiors in training subordinate Liquor Board Inspector staff. Issues verbal and/or written instructions to licensees concerning compliance with or violation of liquor laws and statutes, and works with licensees and neighbors to document and resolve problems. Prepares accurate, precise and detailed written reports of inspections, investigations, and observations of licensees, and completes in-house agency forms as required. Serves licensees with violation notices; serves licensees and witnesses with summonses to appear before public hearings of the Board of Liquor License Commissioners; and delivers transcripts, reports, and letters as needed to the Board and its members. Posts public signs for notice of transfer, expansion, or related actions affecting or altering the original terms of the liquor license; assists applicants in completing interview forms; prepares floor plans of licensed premises; and prepares district and area maps detailing current number and kinds of valid alcoholic beverage licenses.
- iv. ***Inspector II*** – Conducts a wide range of scheduled inspections, unscheduled violation complaint investigations, and unscheduled observations of Baltimore City establishments licensed for the public sale of alcoholic beverages in conformance with State law and agency rules and regulations. Conducts special and sensitive inspections, investigations and observations of licensee establishments. Issues verbal and/or written instructions to licensees concerning compliance with or violation of pertinent liquor laws and statutes, and works with licensees and neighbors to document and resolve problems. Prepares accurate, precise, and detailed written reports in inspections/investigations/observations of licensees and completes in-house agency forms as required. Serves licensees with violation notices; serves licensees and witnesses with summonses to appear before public hearings of the Board of Liquor License Commissioners; and delivers transcripts, reports, and letters as needed to the Board and its members. Posts public signs for

notice of transfer, expansion, or related actions affecting or altering the original terms of the liquor license; assists applicants in completing interview forms; prepares floor plans of licensed premises; and prepares district and area maps detailing current number and kind of valid alcoholic beverage licenses.

c. Administrative Division

- i. ***Liquor Board Secretary III***: Serves as the confidential secretary to the Executive Secretary and performs secretarial work for agency personnel. Develops, revises, or implements work procedures to improve effectiveness and efficiency or to accommodate changes in operations or new functions. Exercises sound independent judgment in screening mail, telephone calls, and visitors; decides what matters come to the Executive Secretary's attention; provides information or answers to questions not requiring the Executive Secretary's attention. Maintains appointment schedules and arranges meetings and conferences for the Executive Secretary; suggests and arranges alternate dates when original schedule cannot be met; notifies the Executive Secretary in advance of meetings and assembles correspondence, files, and other material for meetings. Transcribes letters, reports, and memoranda. Prepares technical and complex liquor licensing reports. Logs and routes correspondence, information, or work instructions from the Executive Secretary to staff members, and monitors deadlines and follow-up actions. Maintains personal and confidential Liquor Board files and oversees the maintenance of other important or sensitive record systems. Composes correspondence independently, and may sign routine correspondence for the Executive Secretary. Answers questions and resolves problems related to procedures governing the work. Makes, revises, or cancels travel arrangements to conform to the Executive Secretary's requirements, and maintains expense records and prepares reports. Establishes and maintains effective working relationships with other Liquor Board employees necessary to expedite matters for the Executive Secretary.
- ii. ***Office Assistant II***: Performs a wide variety of office support work for the Chief Inspector and Assistant Chief Inspector in the Inspections Division, including typing correspondence and maintaining confidential personnel and inspection project reports, files, and records; maintains numerous types of liquor license files and record systems requiring knowledge of a variety of indexing methods. Operates a variety of office machines, including personal computers, for the inputting and revision of liquor license information into the agency's data records systems. Schedules meetings and appointments, and screens phone calls and visitors for the Chief Inspector and Assistant Chief Inspector. Contacts Liquor Board Inspectors in the field at the request of the Chief Inspector and Assistant Chief Inspector, and relays confidential verbal and written instructions, directives, and memos to them. Greets and interviews Liquor Board visitors, answers complaints or questions relating to Liquor Board procedures and operations, and provides information on Liquor Board services and functions to the public, including prospective and current liquor licensees, lawyers, law enforcement officers, community groups, and representatives of private organizations; handles upset and irate visitors with tact and diplomacy.
- iii. ***Accounting Assistant II***: Posts liquor license encumbrances, expenditures, fees, fines, revenues, and disbursements to journals. Reconciles and balances liquor license checking and financial accounts. Audits deposits made by Liquor Board personnel; maintains monthly log of deposits to each Liquor Board account and verifies that money is actually deposited to the correct account. Maintains Liquor Board's copy files of all paid licenses, and updates all accounting and fiscal information in case files. Records Liquor License renewal checks, prepares summary sheet of renewal fees and deposits fees. Audits accounts of one-day liquor licenses to ensure accuracy of records and balance of accounts. Maintains Liquor Board appeals checking account, collects appeals fees, and prepares deposit slips and deposits fees. Examines departmental vouchers, claims, invoices, payrolls, checks, and supporting data for conformance with established procedures and regulations. Counts liquor license new and renewal fee and fine money to insure receipts reflect amount of cash received. Compiles data for financial statements and other statistical and financial reports. Performs related work as required.

(2) Hierarchy of Office: Agency Administration (See attached Organization Chart)

- i. **Executive Secretary (ES)**: Oversees the administration of the agency. All staff members report to ES. Employees who directly report to the ES:
 - i. Deputy Executive Secretary
 - ii. **Deputy Executive Secretary (DES)**: Assists ES in the administration of the agency, specifically the Inspections Division, and provides legal advice to ES and Board. Employees

who directly report to DES:

- i. Chief Inspector
- ii. Assistant Executive Secretary
- iii. **Assistant Executive Secretary (AES):** Assists ES in the administration of the agency, specifically the Licensing Division. Employees who report to AES:
 - i. Office Assistant II
 - ii. Accounting Assistant II
 - iii. Liquor Board Secretary III
- iv. **Chief Inspector (CI):** Oversees and directs Inspection Division. Employees who report directly to CI:
 - i. Assistant Chief Inspector
 - ii. Inspector II and III
 - iii. Part-time Inspectors

(3) Timeframe for Evaluations for CUBS and MAPS positions

a. City Union of Baltimore Society (CUBS)

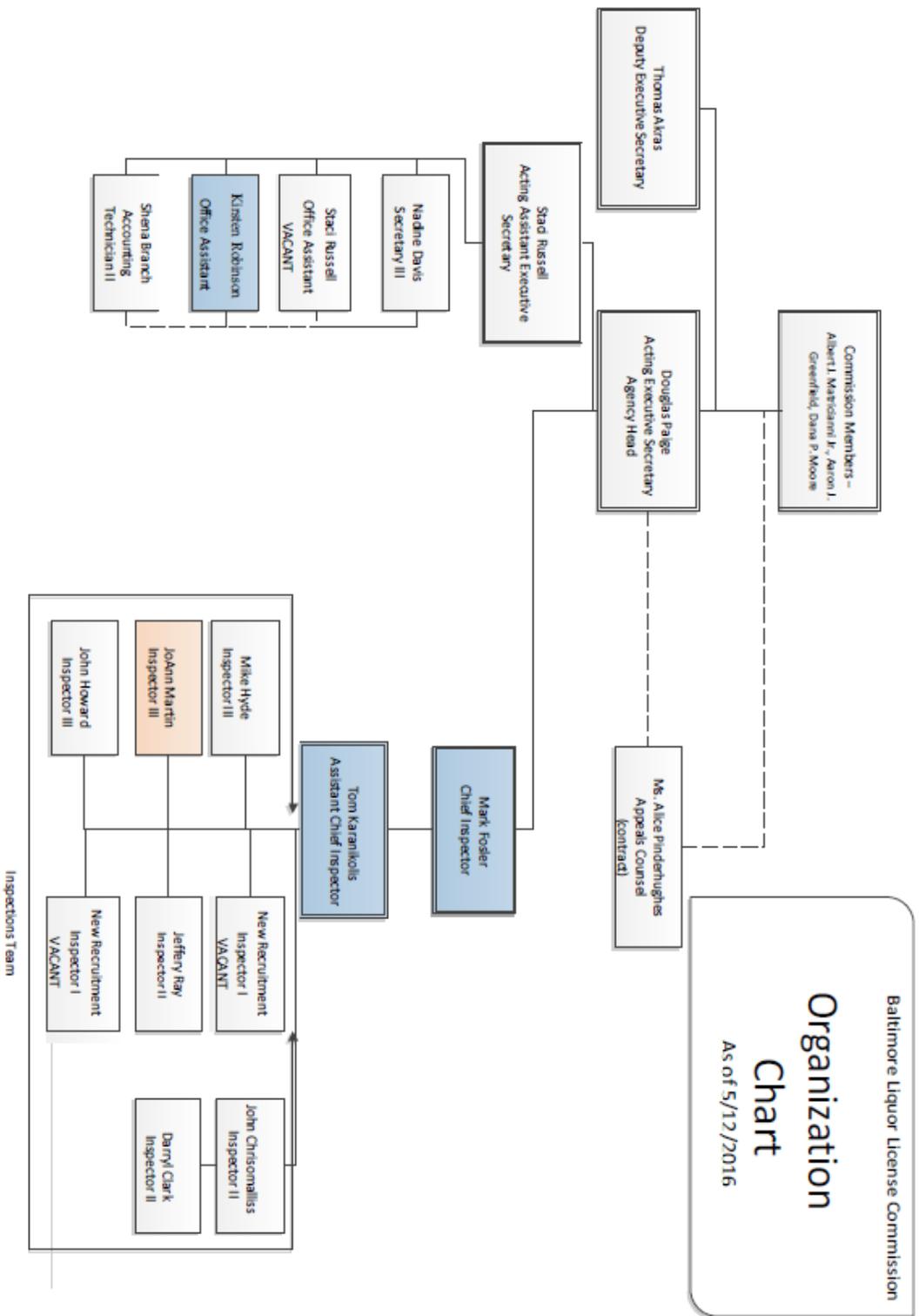
- i. As per DHR policy, all CUBS employees will be evaluated using DHR-issued evaluations every six (6) months.
- ii. The Chief Inspector shall conduct all evaluations of the following staff members:
 1. Assistant Chief Inspector
 2. Inspector II and III
 3. Part-time Inspectors
- iii. The Assistant Executive Secretary shall conduct all evaluations of the following staff members:
 1. Office Assistant II
 2. Accounting Assistant II
 3. Liquor Board Secretary III
- iv. The Executive Secretary shall conduct the evaluations of the following staff members:
 1. Assistant Executive Secretary

b. Managerial and Professional Society (MAPS)

- i. As per DHR policy, all MAPS employees will be evaluated using DHR-issued evaluations **once per year**.
- ii. The Executive Secretary shall conduct evaluations of the following staff member:
 1. Deputy Executive Secretary
- iii. BLLC shall conduct evaluations of the following staff member:

1. Executive Secretary

- c. **Dissemination and Storage of Evaluations:** Copies of evaluations shall be provided to employees by their corresponding supervisor as listed in this section. Copies of each evaluation shall be placed in the employee's personnel file.
- d. **Appeal:** If an employee desires to appeal the evaluation he/she received, he/she shall follow DHR policy as instructed by the DHR representative assigned to the agency by DHR.



Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 1: General Procedures	Number: 1.08	Pages: 1
Title: Enterprise eTime Entry		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide staff with guidelines for recording time worked in Enterprise eTIME at the end of the pay period.

Responsible Staff: Office Secretary III or other designated staff will be responsible for recording employee time worked in Enterprise eTIME System.

Staff Monitor: Executive Secretary or his/her designee shall have final supervisory approval for all entries of time worked within eTIME system before submission.

Policy: Enterprise eTime Entry

(1) Review of Time Cards

- a. Prior to the closing of BLLC’s pay period and after the submission of employee Time Cards, BLLC’s Enterprise eTIME recorder, as designated by the Executive Secretary, shall review all Time Cards for accuracy and completeness.
 - i. **Concerns:** If the designee determines that there are inaccuracies concerning Time Card entries, he/she shall go to the responsible supervisor and review the entries in accordance with SOP 1.02 (Sign-in and Sign-out Procedures).

(2) Recordation and Entry into eTIME

- a. The Enterprise eTIME recorder will enter time worked and leave used in the Enterprise eTIME System for each employee. When an employee uses leave time, Enterprise eTIME recorder will verify that employee is eligible based on employee accrued leave time.
- b. Upon reconciling Time Cards with recordation in the Enterprise eTIME System, Enterprise eTIME recorder will verify that all employees have a total of 73.20 hours for the current pay period by choosing quick navigation drop box (Payroll Close).

(3) Submission to Executive Secretary for Review and Approval

- a. Upon completion, Enterprise eTIME recorder will notify the Executive Secretary or his/her designee that eTime is ready for final review, approval, and sign-off.
- b. The Executive Secretary or his/her designee shall review employee Time Cards and the Enterprise eTIME System (current pay period) for completeness and accuracy before approving and signing-off in the Enterprise eTIME System.

(4) Overtime Review

- a. The Executive Secretary shall review requests for overtime prior to work being performed. The Executive Secretary may authorize overtime for BLLC employees only in accordance with Baltimore City's Department of Human Resources Administrative Manual 205-2, which holds that an agency head may authorize overtime work under the following conditions:
 - *To deal with emergency situations. For purposes of this policy, an emergency situation is defined as any condition which endangers safety, life, or property, or threatens the breakdown of vital services to the public.*
 - *To perform duties which can only be accomplished outside an employee's regularly scheduled workday.*
 - *To accomplish essential work within a prescribed time when a deadline cannot be altered.*
 - *To maintain essential operations.*

(5) No Post-Approval for Overtime

- i. Requests to be compensated for overtime work performed without prior approval shall be **denied** by the Executive Secretary, except in the following case:
 - a. To deal with emergency situations. For purposes of this policy, an emergency situation is defined as any condition which endangers safety, life, or property, or threatens the breakdown of vital services to the public.
 1. Proof of an emergency situation shall be provided to the Executive Secretary prior to the approval for overtime hours identified in this subsection

(6) Compensatory Time Review

- a. Compensatory Time awarded to employees will be in conformity with Baltimore City's Department of Human Resources Administrative Manual 205-2, Part 3, which states:
 - i. Compensation for overtime work performed by employees serving in positions categorized as "exempt" as listed in Civil Service Classes {AM-291-2} may be in conformity with the provisions outlined in the following sections. Overtime work results when an employee's immediate supervisor has approved work beyond the normal work day as determined by the representation status of the class; or, approved work performed by the employee on an unscheduled work day.
- b. Employees will receive Compensatory Time in an amount equal to the overtime recorded.
 - i. **Maximum Accumulation of Compensatory Time:** An accumulation not exceeding 400 hours of compensatory leave is authorized for employees serving in exempt positions.

Section 2: Administrative & Accounting Processes



Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.01	Pages: 6
Title: Process for Transfers, Amendments, and New Licenses		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To establish procedures for the agency application process which includes new, transfer and amendments to licenses.

Responsible Staff: Secretary III, Office Assistants and/or other administrative staff.

Staff Monitor: Assistant Executive Secretary and/or Executive Secretary.

Policy: This outlines general practices for the transfer process.

- (1) **Transfers, Amendment, Expansions, and New Applications:** To begin the process, an application must be filed with the Board of Liquor License Commissioners for Baltimore City and the application fee paid.
 - a. Staff Acceptance of Applications
 - a. No application will be accepted for advertisement unless it is complete as to all required information. Staff will also ensure that all fees are paid in advance and that the Hearing Fee is paid at the time of application beginning **June 1, 2016**. In order to be placed in upcoming month's ad, the filing deadline each month shall be the first Tuesday of each month. One day allowances shall be made for state holidays that fall on Tuesdays.
 - b. Timeline for Review
 - i. By the close of business Wednesday, following the closing of the ad, the designated Office Assistant shall complete the initial review of the application to ensure the application is complete and all preliminary information is included in the file (see **Attachment A** for detailed listing). In addition, upon completing the initial review the Office Assistant shall:
 1. Scan copies of each application and send those copies electronically to the Deputy Executive Secretary.
 2. The Office Assistant shall also take the hard files and deliver them to the Deputy Executive Secretary.

- ii. By the close of business Thursday, following the closing of the ad, the Deputy Executive Secretary shall complete the secondary review to ensure the application meets form and legal sufficiency requirements in order to determine that the application is complete, which include:
 - 1. Zoning Approval or Verification
- iii. Communicate with Zoning administrator of Baltimore City to verify zoning/Assessment of Housing Records by Deputy Executive Secretary
 - 1. Voter Verification – If Board of Elections has not answered in a timely manner
 - 2. Baltimore City Residency Verification
 - 3. Timeline to determine if license to be transfer is valid
 - 4. Financial Form Completeness
- iv. Upon completion of the review, the Deputy Executive Secretary shall communicate the findings of his/her review process to administrative staff and perform the following tasks, on or about the morning of the Friday following the closing of the ad:
 - 1. Determinations on whether the application is Complete or Incomplete
 - a. Complete Applications will then be advertised and posted accordingly.
 - 2. Determinations on whether the application should be outright rejected
 - a. Legal issues, zoning issues, etc.
 - 3. Determinations on what amendments or actions need to be taken to complete the application
 - a. Zoning Hearing
 - b. Forms that are incomplete
- v. Upon completion of this review, the Deputy Executive Secretary shall deliver the hard copy folders to the Assistant Executive Secretary, who upon acceptance shall:
 - 1. Separate the applications that are complete and incomplete and file the applications accordingly
 - 2. Prepare the complete applications for posting and advertisement
 - 3. Communicate with applicants that filed incomplete applications and request additional information or inform applicants that their applications have been rejected.
 - a. Complete application information is to be communicated to the Office Secretary III or other designee who will then prepare the advertisement to be disseminated to the general public and newspapers.

c. Advertising Requirements and Posting/Notice:

- i. Upon receipt of the completed applications, the Office Secretary III or his/her designee – on or about the morning of the Friday following the closing of the ad – shall prepare the advertisements for proposed transfers, new licenses, and/or expansions to be scheduled for the following month. This shall be done each month, except the month of renewal for alcoholic beverages licensees (March).
- ii. The Office Secretary III or his/her designee shall prepare the list of proposed transfer/issuance/expansion/new applications to be advertised in three newspapers, is posted on the Liquor Board's web page, and are sent to representatives of many community groups, elected officials and governmental agencies.
 1. The advertisements are to be prepared and ready to be issued and posted on the agency's website at the latest on the Monday following the closing of the ad on the previous Tuesday.
- iii. In addition, on or about the morning of the Friday following the closing of the ad, the Office Secretary III or his/her designee shall prepare the posters for publication to be issued to the inspection division to post the property. The posters will be reviewed on the Monday on the Monday following the closing of the ad on the previous Tuesday.
 1. If the posters are determined to be complete then they shall be delivered to the Chief Inspector or his/her designee for posting on the establishment identified in the application.

(2) Inspection Process:

- a. Upon receipt of the posters on the on the Monday following the closing of the ad on the previous Tuesday, the Chief Inspector or his/her designee shall deliver the posters to the assigned Inspector(s), and the Inspector(s) shall post the property on the same day.
- b. The inspectors must post the sign in a conspicuous place from inside the premises. They will also complete board reports that include photos of the posting.
- c. Inspector will also prepare the maps to ensure that a location is not within the prohibited distance of a school and/or church. Inspectors will also note the other licensed establishments within 4x4 block radius.
- d. Inspectors will notify administrative staff if the proposed location does not meet requirements and/or if there are any issues with the subject location.

(3) Board Approval and Public Need and Accommodation

- a. If public need and accommodation are issues in an application, the actual physical/legal transfer of the license does not take place until all requirements for transfer are completed. The burden is on the applicant to provide evidence and testimony that approval of the application is necessary for public convenience and accommodation, in the public interest and that it will not disturb the community. Staff must ensure that the items listed in the previous section are also

followed for these types of transfers. The following are a list of issues:

- i. The transfer is the result of a forced financial transaction (secured party, trustee, sheriff, etc.)
- ii. The business has been closed more than 90 days
- iii. The transfer involves a change of location
- iv. A change in the class of the license
- v. A request for live entertainment
- vi. An expansion of the licensed premises
- vii. Or the application is for a new license (Class “B” or those created by state law)

b. **After Board Approval:** For transfers, amendment and expansion, the applicant has **180 days** after the board approval date to complete the process. The applicant will provide the Board with additional information as required by state law in order to complete the transfer and /or new application (see **Attachment B** for detailed listing).

(4) **Substitute Applications:** Any changes in the pertinent information contained in any application filed with the Board must be reported to the Board in a timely manner. This includes, for example, change of name, change of telephone number, change of address, death of a licensee, dissolution of a corporation, election or change of an officer or authorized person who is listed as an applicant or licensee:

- a. Any change on a licensee's application concerning the removal, addition, or substitution of a licensee must be accompanied by the processing fee and application fee.
- b. Any new persons named to the license as a result of a substitution must meet all of the requirements outlined in and are subject to the provisions of Article 2B, Section 10-103.

c. **Substitutions**

- i. **Substitution of Corporate Officers or Members of a Partnership:** Any change concerning a corporate or limited liability company application also requires:
 1. An application for substitution of corporate officers or authorized persons on the form provided by the Board; and
 2. A signed letter of resignation from the outgoing corporate official(s) or authorized person(s); and/or
 3. A signed copy of the contract indicating that the holder(s) of a license transfer(s) less than 51% of the ownership interest of the licensed premises and the name and information of the transferee; and/or if applicable
 4. A certified copy of the corporate or limited liability company minutes or resolution indicating the substitution of corporate officer(s) or authorized

person(s).

- ii. **Substitution of a Secured Party:** If a Secured Party applies to the Board to substitute its position in place of a licensee in default, a Secured Party's application shall also include:
 1. A copy of the security agreement, such as a copy of the signed contract or lease, between the licensee and the secured party; and
 2. A copy of the letter of default, which was sent to the licensee indicating that the licensee was in default concerning the terms of the security agreement and stipulating that the secured party would take action to secure his/her interest created by the security agreement; and
 3. A copy of a receipt or certified copy of the recorded security agreement that has been recorded with the Circuit Court of Baltimore City or State Department of Assessments and Taxation.
- iii. **Substitution of a Contract Purchaser:** If a person, corporation, or partnership submits a substitute application for the purposes of being named a Contract Purchaser applies such application shall include:
 1. A notarized copy of the signed contract, which must contain the specific terms of the agreement of sale of the license and/or business, between the licensee and the Contract Purchaser applicant; and
 2. Signed and notarized transfer authorization and bulk transfer affidavits.
- iv. **Substitution in cases of Death of a Licensee for Personal Representative or Administrator of Licensee's Estate:** As per Art. 2B §10-506(a), upon the death of a holder of a license, the personal representative/administrator of the deceased's estate can apply for a certificate of permission, which will allow the personal representative or administrator eighteen (18) months from the date of issuance to transfer the license, while the affairs of the estate are disposed. The total fee for the certificate of permission is one dollar (\$1.00). To be issued the certificate of permission the executor or administrator's application shall include:
 1. A copy of an official death certificate of the deceased licensee; and
 2. A certified copy of the filing of the will with the Register of Wills of the jurisdiction of the deceased; and/or
 3. A certified copy of the letters of administration as authorized by the Register of Wills of the jurisdiction of the deceased.
 4. Sufficient proof of identification of the applicant so as to allow the Board to determine that the applicant is the executor or administrator of the deceased's estate.

- v. **Substitution in cases of Death of a Licensee for Surviving Spouse or Partner:** As per Art. 2B §10-506(b), upon the death of a holder of a license, the surviving spouse, the surviving partners for the benefit of the partnership, or the senior surviving officer for the benefit of the corporation may apply for the issuance of a license through the substitution application. The license shall be issued only for the remainder of the license year. Such an application must include:
1. A copy of an official death certificate of the deceased licensee; and
 2. A certified copy of the filing of the will with the Register of Wills of the jurisdiction of the deceased; and/or
 3. A certified copy of the letters of administration as authorized by the Register of Wills of the jurisdiction of the deceased.
 4. Sufficient proof of identification of the applicant so as to allow the Board to determine that the applicant is the surviving spouse, the surviving partners for the benefit of the partnership, or the senior surviving officer for the benefit of the corporation of the deceased.

Attachment A

Initial Acceptance List Items - Transfers, Expansions and New Applications

- Completed Application
 - Payment of Application Fee and Advertisement Fee
 - All questions answered (even to note N/A Not Applicable)
 - Floor Plan included
 - Legislative Sheet Completed – If needed (Transfer/Zoning Confirmed)
 - Verified voter information
 - Verified Baltimore City Resident
 - Pecuniary at least >1% ownership for all licensees
 - Notarized and signed by all applicants
 - Time and Date Stamp
 - Staff Completed “Office Use Only” section noting date accepted
 - SDAT Information (Print out and/or Scanned)
 - Verify Active License Status
 - License Database Information/History (Print out and/or Scanned)
 - Any Fees/Fines owed to the agency/ HOLDS – note to applicant that this will not be transferred until hold is satisfied and note HOLD on Folder
- Class New “B” Only – (Note that applicant should supply with 10 days of submission – this should be added to the file)*
- Summary of Improvements and Capital Outlay
 - Menu (may provide for BD7 and D – not required)
 - Verify that seating matches requirements of law

Attachment B

Items needed to Complete Transfer/New Applications – *Items that can be collected after Board approval.*

- Approval from the Zoning Enforcement Division: Final Use and Occupancy (will be required as part of the file)
- Verify Worker's Compensation Insurance Information (Complete "Staff Only Section")
- Health Department Approval: Food Permit in new owners' name/Email sent to staff – May make copy of Health permit as well but email is required.
- Approval from the Baltimore Departments (Fire, Building and Electrical)
- Bulk Transfer Permit (if applicable – not need for new establishment and/or expansions)
- Affidavit of Compliance with the Bulk Transfer Act
- Transfer Authorization Form - The form must be signed by the seller(s) and one of the purchasers (Not needed for new applications).
- Alcohol Awareness Certificate (At least one licensee)
- Criminal Justice Record(s) Check – Proof of Payment
- A copy Sales Tax License (copy kept in file)

HOLDS on licenses (Note that all HOLDS must be removed before the transfer is complete)

- Payment of Fees and Fines to BLLC
- Payments to City Law Department - LAW DEPARTMENT TAX CLEARANCE REQUIRED
- Payment of outstanding Sales Tax - No license will be transferred until a release is obtained from the State Comptroller's Office.
- Payment of bills due to wholesalers - if any have notified the Board that money was owed by the seller(s), these bills must be paid. Payment of current Tangible Personal Property Tax - a receipted tax bill or clearance from the Collections Division must be provided. A cancelled check will not be accepted as proof of payment. Trader's license

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.02	Pages: 6
Title: Alcoholic Beverage Renewal Process		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To establish procedures and contacting licensees when renewal applications are incomplete related to information on modifying applications.

Responsible Staff: Administrative Office Staff.

Staff Monitor: Assistant Executive Secretary and/or Executive Secretary.

Policy: Below are some basic instructions for completing renewal correspondence and staff acceptance of renewal applications (**Attachment A1 and A2** outlines the work flow process):

- (1) **Renewal Application Revisions/Review:** The Deputy Executive Secretary will review the Renewal Application for legal sufficiency in December of each year and if changes need to be made they will be submitted to the Comptroller for approval.
- (2) **Holds and Tax Liens:** All tax liens and notices will be entered to the computer system and letters will be sent to licensees noting that holds must be released before renewal. A copy of the licensee list will be sent to the City Law department in January of each year. These tasks will be completed by administrative staff.
- (3) **Zoning Check for Renewals:** In late January of each year the previous year's licensee list will be sent to zoning for review and use so that zoning status can be verified for all licensees. This task will be completed by executive staff and sent by email to the Zoning Administrator.
- (4) **Criminal Justice Information System (CJIS) Inquiry:** Within the first thirty (30) days of January of every calendar year the Assistant Executive Secretary shall send communications (either written or electronic) to the CJIS contact designated to service the BLLC and make an inquiry as to whether or not any of the licensees authorized by the BLLC to serve, distribute, or furnish alcoholic beverages has been convicted of any criminal offense within the State of Maryland or another State. If upon request, the BLLC receives information from CJIS that a licensee has been convicted of a criminal offense it will refer the matter to the Chairman of the Board to determine if the license holder is not qualified for renewal under Art. 2B §10-301(b). As an alternative, Administrative staff will accept a

substitute application to remove the licensee from the license as long as such a substitution does not constitute a transfer of the license.

- (5) **Letters and Correspondence to Licensees:** The staff will draft and the Executive Secretary will finalize letters for the renewal which will be sent out in February of each renewal. This will include the following items:
- a. Approved renewal application
 - b. Letter to license holders
 - c. Letter for 46th Legislative District Class B and Food Form
 - d. Other information on the renewal process
- (6) **Website Posting/ Scanning Process:** The finalized information should be placed on the agency website for the general public and licensee use as part of the scanning process and document retention process.
- (7) **Receiving Applications:**
- i. **License Check:** Once an application is received administrative staff will check the system to note if the license is active and, if not active, note to a supervisor for review.
 - ii. **Date Stamp:** Administrative staff **must** note date received and/or date stamp application and process the application payment fee. Staff failure to do so could result in disciplinary action per Section 1.04(e) of the SOPs.
 - iii. **Processing:** Staff will note on the application and process in the system that Application Fee has been paid and checks must be endorsed immediately and securely stored.
 - iv. **Deposit Process:** Endorsed checks should be given to the Accounting Assistant II and checks should be processed regularly (bi-weekly/daily depending upon size of deposit –see deposit policy). If not endorsed, the Accounting Assistant II must ensure that payments are endorsed properly.
 - v. **Holds for Agency Funds:** Administrative staff will check on the hold status and if there are outstanding fees and fines due to the agency. The licensee must be notified and funds must be collected before the license is renewed. All holds should be noted on the application and/or in the system.
 - i. The Accounting Assistant II will be responsible for keeping updated monthly records on outstanding funds. Holds must be verified by this position in February. Examples of Type of Holds:
 1. Holds for Funds to Agency (Fees/Fines)
 2. Tax Holds
 3. Trader License
 4. Law Department Holds

5. Other Pending Items

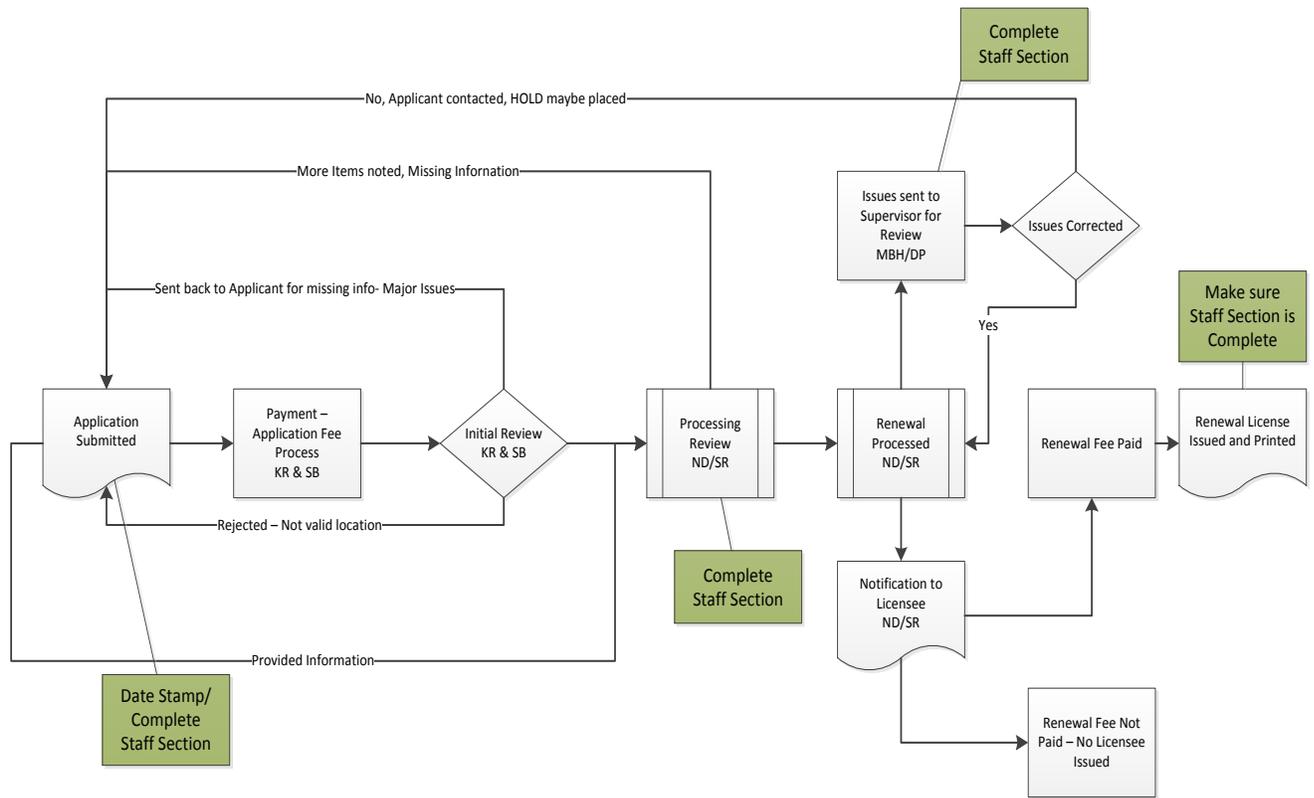
- ii. **Comments Section Notes:** When entering information in the “Comment Section” of our database, please be very clear and precise as to what is being communicated for both internal and external viewing. Once you have entered the information in the system, please include your initials at the very end.
 - vi. **Application Review:** Administrative staff will review application for completeness and make sure that all questions are completed by applicant for license type. (Attachment B, detailed listing)
 - vii. **Changes to Renewals:** Some changes can be made at renewal as long as they do not conflict with Article 2b Section 10-202 which governs transfers. These types of changes include the following:
 - i. Name Change (Marriage)
 - 1. Note licensee will provide proof of legal name change
 - ii. Named licensee (Substituting/Deleting) under 49% ownership
 - 1. Licensee must submit a letter with application for change
 - 2. Minutes from meeting (**Corporate Meeting**)
 - 3. Resignation of Officer
 - iii. Change of Licensee residence and/or mailing address
 - 1. Note if Baltimore Resident/Voter is changing
 - 2. May require background check
 - iv. Death of Licensee
 - 1. Note procedures outlined by 2B
 - viii. **Contacting Licensee for missing information:** Administrative staff can contact licensees by phone, US mail and/or email to request any/all missing information and if information is missing:
 - i. Information that is taken over the phone and/or by email should be noted on the application with the initials and date of the change.
 - ii. If the applicant fails to respond to requests for information in a timely manner a letter will be sent to the licensee and noted to the file. The application is noted incomplete.
 - iii. Applicant and their representatives can amend applications in writing by email and/or letter. These amendments must reflect the date that they are received. If a date is not noted, staff should use the date stamp to note date and time received.
- (8) **Supervisory Review of Applications:** Administrative staff will prepare applications for supervisory review; applications should be bundled and/or provided electronically.

- a. Supervisors will check to make sure that the application is complete.
 - i. If missing information, then the proper steps have to been taken to get information from licensee and the application is returned to administrative staff and guidance is given.
 - ii. If not operating, note information for inspections and if a non-operation letter was sent to the licensee. Check for validity issues.
 - iii. Note that a Zoning Check was done and verify that the address is not in a non-conforming or no longer zoned correctly. Send correspondence to licensee if out of compliance on any issue and/or directs staff to do so.
 - iv. Verifies that the proper fee is accessed based on size and privileges.
 - 1. Verification includes review of all ancillary privileges to ensure fees are paid to the BLLC – outdoor table service, live entertainment, seating capacity, catering, growlers, etc.
 - v. Supervisor will note review on the application with date reviewed so that it can move on to completion. Review step will be performed before final license is issued and license can be issued.

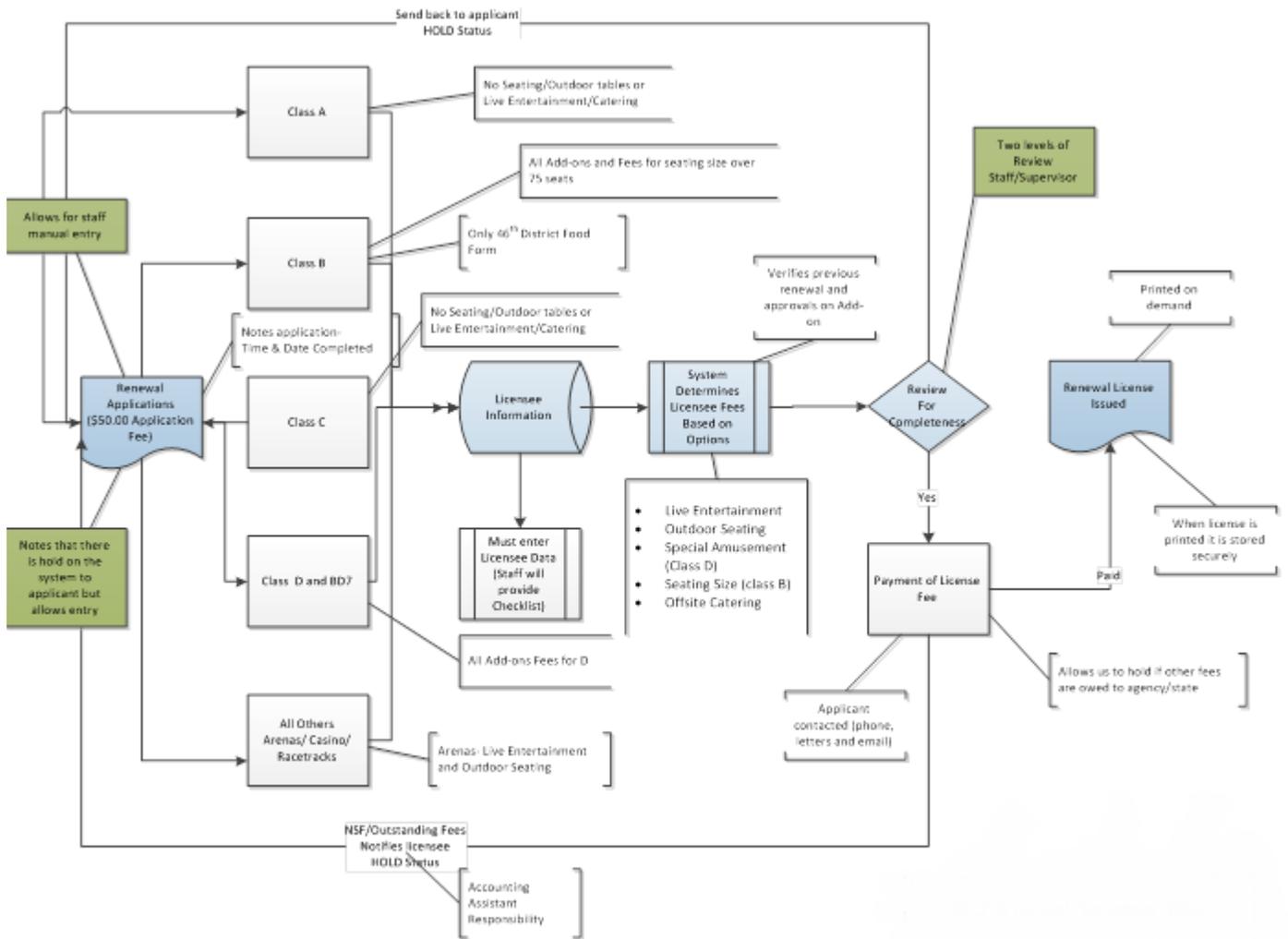
(9) **License Issuance:** Below are the steps for license issuance, the agency will print licenses on demand (at time of payment) and/or store licenses in a secure location that have been printed in a secure location (that have been paid).

- a. **Complete/No Issues:** If an application has been reviewed and all of the questions are noted and complete and there are no outstanding holds, the license can be issued and printed on demand after payment is received.
- b. **Complete - Hold:** License will be held until any and/all outstanding payments are made to the agency.
- c. **Incomplete:** The licensee is notified by letter that the application is incomplete, information will be entered into licensee file and application will be held.

Any questions on this policy procedure should be directed to management staff.



Renewal Process 2016
Draft 2/1/16



Attachment B

Renewal Application Checklist

Here are some areas to note for completeness (examples are below)

- Contact Information
 - Owner/Manager contact
 - Business Address, Phone, email, and/or Cellular number
 - Alternate Address (Home)
 - SDAT Number
- Operation Status (*If not, operating please note for inspections/supervisor*)
- Consistent Information from Previous Years
- Noting changes of ownership (if under 49%)
- Zoning Check (if there is a change noted by zoning from list sent)
- Seating Information (*If applicable – Class B*)
- Food Percentages (*If applicable- note letter if under 50%*)
 - *Completed form 46th District only*
- Answer to Questions: (Note to make sure that Fees are Paid/Charged)
 - Outdoor Seating (*If applicable – apply through hearing – Letter to licensee if answered Yes and they do not currently have approval*)
 - Catering (*If applicable – Answer YES then add fee on Class B if not already added*)
 - Live Entertainment (*If applicable – apply through hearing – Letter to license, if answered Yes and they do not currently have approval*)
 - Growlers
 - Delivery – Fill out new form
 - Criminal Background (*If needed, note to management*)
- Determines that amount that is due based on answers to questions and special license privileges.
- Make sure to calculate all charges and add notes to system on issues (Note HOLD if questions for supervisor review)
- Check information on various state databases and makes sure that application is complete and all questions are answered.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.03	Pages: 6
Title: Adult Entertainment Renewals		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To establish procedures and contacting licensees when Adult Entertainment renewal applications are incomplete and information on modifying applications.

Responsible Staff: Administrative Office Staff.

Staff Monitor: Assistant Executive Secretary and/or Executive Secretary.

Policy: Below are some basic instructions for completing Adult Entertainment renewal correspondence and staff acceptance of renewal applications:

- (1) **Renewal Application Revisions/Review:** The Deputy Executive Secretary will review the Renewal Application for legal sufficiency in March of each year.
- (2) **Holds and Tax Liens:** All tax liens and notices will be entered to the system and letters will be sent to licensees noting that holds must be released before renewal. A copy of the licensee list will be sent to the City Law department in January of each year. These tasks will be completed by administrative staff. – This can be done at the same time as the liquor license.
- (3) **Letters and Correspondence to Licensees:** The staff will draft and the Executive Secretary will finalize letters for the renewal which will be sent out in May of each renewal. This will include the following items:
 - a. Approved renewal application
 - b. Letter to license holders
 - c. Other information on the renewal process
- (4) **Website Posting:** The finalized information should be placed on the agency website for the general public and licensee use as part of the scanning process and document retention process.
- (5) **Receiving Applications:**
 - a. Once an application is received administrative staff will check the system to note if the license is active and, if not active note to a supervisor for review.

- b. Administrative staff must note date received and/or date stamp application and process the application payment fee.
- c. Staff will note and process in the system that Application fee has been paid and checks must be endorsed immediately and securely stored.
- d. Endorsed checks should be given to the Accounting Assistant and checks should be processed regularly (bi-weekly/daily depending upon size of deposit –see deposit policy). If not endorsed, the Accounting Assistant must ensure that payments are endorsed properly.
- e. Administrative staff will check on the hold status and if there are outstanding fees and fines due to the agency. The licensee must be notified and funds must be collected before the license is renewed. This must be noted on the application and/or in the system.
- f. Administrative staff will review application for completeness and make sure that all questions are completed by applicant for license type. Here are some areas to note for completeness (examples are below):
 - i. Contact Information
 - 1. Manager contact
 - 2. Business Address, Phone, email, and/or Cellular
 - 3. Alternate Address (Home)
 - ii. Consistent Information from Previous Years
 - iii. Noting changes of ownership
 - iv. Consent on changes of owners
- g. Administrative staff can contact licensees by phone, US mail and/or email to request any/all missing information and if information is missing:
 - i. Information that is taken over the phone and/or by email should be noted on the application with the initials and date of the change.
 - ii. If the applicant fails to respond to requests for information in a timely manner a letter will be sent to the licensee and noted to the file. The application is noted incomplete.
 - iii. Applicant and their representatives can amend applications in writing by email and/or letter. These amendments must reflect the date that they are received. If a date is not noted, staff should use the date stamp to note date and time received.

(6) Supervisory Review of Applications: Administrative staff will prepare applications for supervisory review; applications should be bundled and/or provided electronically.

- a. Supervisors will check to make sure that the application is complete.
 - i. If missing information, that the proper steps have been taken to get information from licensee and the application is returned to administrative staff and guidance is given.

- ii. Supervisor will note review on the application with date reviewed so that it can move on to completion. Review step will be performed before final license is issued and license can be issued.

(7) **License Issuance:** Below are the steps for license issuance, the agency will print licenses on demand and/or store licenses that have been printed in a secure location.

- a. **Complete/No Issues:** If an application has been reviewed and all of the questions are noted to be complete and there are not outstanding holds, the license can be issued and printed on demand after payment is received.
- b. **Complete Hold:** License will be held until any and/all outstanding payments are made to the agency.
- c. **Incomplete:** The licensee is notified by letter that the application is incomplete, information will be entered into licensee file and application will be held.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.04	Pages: 7
Title: Docket Preparation		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To outline the process and guidelines for staff on the production of dockets and information that should be included.

Responsible Staff: Secretary III and other Administrative Staff.

Staff Monitor: Deputy Executive Secretary and Executive Secretary (Chief Inspector for Posting/Violations – Service for delivery and Inspection Reports).

Policy: Docket Preparation

- (1) **Weekly Docket Meetings:** On the Monday, approximately 20 days before the scheduled meeting date, the Executive Staff will meet with the Administrative Staff to determine the completeness of applications in order to create the short and long dockets for publication and posting on the website. At this hearing, staff will make final determinations as to docket size and applications that are complete and ready to be heard by the Board.
- (2) **Timeline:** The draft short docket should be prepared by Tuesday 16 days before the scheduled meeting date so that it can be distributed and posted online 14 days before the hearing is scheduled. The long docket should be ready by Wednesday afternoon two weeks before the meeting for duplication and scanning/posting. The long docket shall be reviewed by Executive Staff for completeness and preparedness for publication before being posted on the BLLC website.
- (3) **Tracking Document and system tracking:** A copy of the preliminary list of new applications should be sent monthly to Zoning as part of the tracking document and/or electronically to ensure proper review. Staff should scan a copy of applications to Zoning with copy of the monthly transfers.
- (4) **Verify Posting (Inspections):** Any (transfer, amendment, and/or new applications) items on the docket must be posted, and inspections should include a completed report as part of the file. (Note: SOP 3.08 Posting and Maps)
- (5) **Steps for Short Docket preparation:** There are two portions of the docket that must be developed: the Regular Docket and the Violations Docket, below are details on information that must be prepared.
 - a. **Regular Docket (Transfers, New, Hardship Extensions, and other)**

- i. Pull the files for the indicated hearing date.
- ii. Note information and hearing date in tracking documents (**Attachment 4** - list of items)
- iii. Formatting information:
 - 1. Type heading (centered) in a bold, capital font
 - 2. Type note at left margin.
 - 3. Type the name(s) of applicant(s)/licensee(s), corporate name if any, trading as name and address of establishment in bold font.
 - 4. Type class of license.
 - 5. Type scope of the hearing (transfer, requests and/ new applications).
 - 6. Make sure that Financial Information sheet is in the Board File. **This cannot be included in the overall file due to MPIA issues.**
- iv. Review docket and email to supervisor.
- v. Note any letter or community information to include in long docket preparation.
- vi. Prepare letter applicant/licensee for signature by the Executive Secretary.
- vii. Ensure that the sign posting report with map and/or transfer report are part of the file.

b. Violations Docket

- i. Pull the files and verify the charges with the Deputy Executive Secretary
- ii. Formatting information:
 - 1. Type heading (centered) in a bold, capital font
 - 2. Type the name(s) of applicant(s)/licensee(s), corporate name if any, trading as name and address of establishment in bold font
 - 3. Type class of license
 - 4. Add Summary of Rule Violation with date and information/ copy from charging document
- iii. Log all wittiness(inspectors/police officers) and requests in journal and/or system log
- iv. Print service documents and make sure that there is copy in evidence file
- v. Provide service copies to the Chief Inspector for delivery within guidelines for posting and rules and regulations
- vi. File signed copy of service documents in file (Licensee and Police)
- vii. Ensure that copies are made for the licensee and/or attorney for the hearing
- viii. Ensure that copy of the license history is part of the file

- (6) **Supervisory Review:** The Executive Secretary or designee will review the docket and make any changes. Items may be moved to other dates and files will be noted according so that items can be rescheduled properly.
- (7) **Steps for Long Docket Preparation (Wednesday):** Staff will prepare a cover page report along with the following items for the public file (this is a sample but other items may be included):
- a. Regular Docket
 - i. Cover Page Report – (**Attachment 1**)
 - ii. Copy of the Application/Interview Materials/Floor Plan (**Attachment 4**)
 - iii. Copy of Inspection Documents & Photos
 - iv. Map of the Subject Property with other License Locations (Google Maps)
 - v. Copy of SDAT (if applicable)
 - vi. Any Letters or other correspondence
 - vii. Hardship Extension Requests – Differs slightly from transfers, new, and expansions
 - 1. Letter from License
 - 2. Note last day of operation and/or inspection
 - viii. License History
 - b. Violation Docket
 - i. Cover Page Report – (**Attachment 2**)
 - ii. Summary Sheet (includes charges and violation history last 3-5 years)
 - iii. Copy of Reports (i.e. Investigation Reports, Police, Comptroller and Inspection Report)
 - iv. Photos (if applicable)
 - c. This information can be scanned as a single Adobe PDF and or provided electronically.
- (8) **Supervisory Review (Wednesday/Thursday AM):** The Executive Secretary or designee will review the docket and make any changes. Items may be moved to other dates and files will be noted so that items can be rescheduled properly. Notes will be added to the file folder and/or system regarding scheduling.
- (9) **Distribution:** Once the final Long and Short dockets has been approved for publishing, an e-mail and posting information will be sent to the distribution lists by Thursday (14 days before the meeting date). Ensure that posting is on the Board website within 14 days.

There is an overall flowchart on the process for transfers/new/applications that has been attached as Attachment 3. I have read and understand this procedure.

Attachment 1 – Example only

Cover Report Sample Information:

June 9, 2016

Applicant(s): Sarbjit Singh & Audrey DeGross
Badwal, LLC
T/a Trade name pending
1000 W. Lombard Street 21223

Class: “BD7” Beer, Wine & Liquor License

Application to transfer ownership

Board’s Information:

- (a) **Applicant(s) Information:** (1) Sarbjit Kaur Singh was born in India in December of 1955. He lives in Baltimore County. (2) Audrey Delray DeGross was born in Baltimore, MD in May of 1956. She lives in Baltimore City and is the Baltimore City Resident.
- (b) **Ownership Breakdown:** (1) Sarbjit Kaur Singh (99%) and (2) Audrey Delray Degross (1%)
- (c) **Purchase Price of Business:** The purchase price of the business/property was \$160,000. A down payment of \$10,000 was made. \$150,000 is due at settlement.
- (d) **Qualified Voters:** Ms. Valerie Copes, Ms. Monica Henson, and Mr. William Mayo meet qualifications.
- (e) **Zoning:** The property was issued a use permit for a tavern in April 8, 1964. And use permit still in effect with DHCD.
- (f) **Corporate Standing:** Badwal, LLC is a MD LLC and as of 5/27/2016 is Active and in good standing.
- (g) **Posting Report:** The location was posted on 3/3/2016 and checked on 3/16/2016. This meets the 10-day rule. There are 0 licensed liquor establishments in the 4x4 area. There is a school (James McHenry Elementary) across the street. However, the liquor store has been there since 1964
- (h) **Timeline:** Last Inspection of establishment was performed on 2/15/2016 – establishment was open and operating. As per application it still is.
- (i) **Letters of Support/Opposition:** At this time the Board has no letters of support or opposition.

In considering this request, under the provisions of Article 2B, Section 10-202(a), the Board must consider the following factors: 1. The public need and desire for the license; 2. The number and location of existing licensees and the potential effect on existing licensees of the license applied for; 3. The potential commonality or uniqueness of the services and products to be offered by the applicant's business; 4. The impact on the general health, safety, and welfare of the community, including issues relating to crime, traffic condition. 5. Any other necessary factors as determined by the Board.

BOARD’S DECISION:

Attachment 2

Violations Report Sample

June 9, 2016

Licensee(s): Tesfa Ye Birru & Fikremariam Worku
Jano Ethiopian Restaurant & Lounge, LLC
T/a Jano Ethiopia
34 S. Eutaw Street 21201

Class: “B” Beer, Wine & Liquor License

Violation of Rule 4.05 (a) Prohibited Hours – January 26, 2016 – At approximately 1:25 am BLLC Inspector John Chrissomallis and Acting Assistant Chief Inspector Mark Fosler conducted an investigation into the establishment based on an anonymous complaint received about the establishment. Between approximately 1:25 am and 2:10 am, the BLLC representatives observed that the front entrance of the establishment had a lighted “open” sign and individuals entering and exiting the establishment. At approximately 2:10 am, the BLLC representatives entered the establishment and observed that music was playing, 18 to 20 patrons were present, and at least 4 patrons were in possession of alcoholic beverages. At this time photographs were taken and BLLC staff notified the licensee, who was present, of the violation.

Violation of Rule 4.05 (b) Prohibited Hours – January 26, 2016 – At approximately 1:25 am BLLC Inspector John Chrissomallis and Acting Assistant Chief Inspector Mark Fosler conducted an investigation into the establishment based on an anonymous complaint received about the establishment. Between approximately 1:25 am and 2:10 am, the BLLC representatives observed that the front entrance of the establishment had a lighted “open” sign and individuals entering and exiting the establishment. At approximately 2:10 am, the BLLC representatives entered the establishment and observed that music was playing, 18 to 20 patrons were present, and at least 4 patrons were in possession of alcoholic beverages. At this time photographs were taken and BLLC staff notified the licensee, who was present, of the violation.

Board’s Information:

(a) **Licensee Information:** (1) Tesfa Ye Birru; (2) Fikremariam Worku

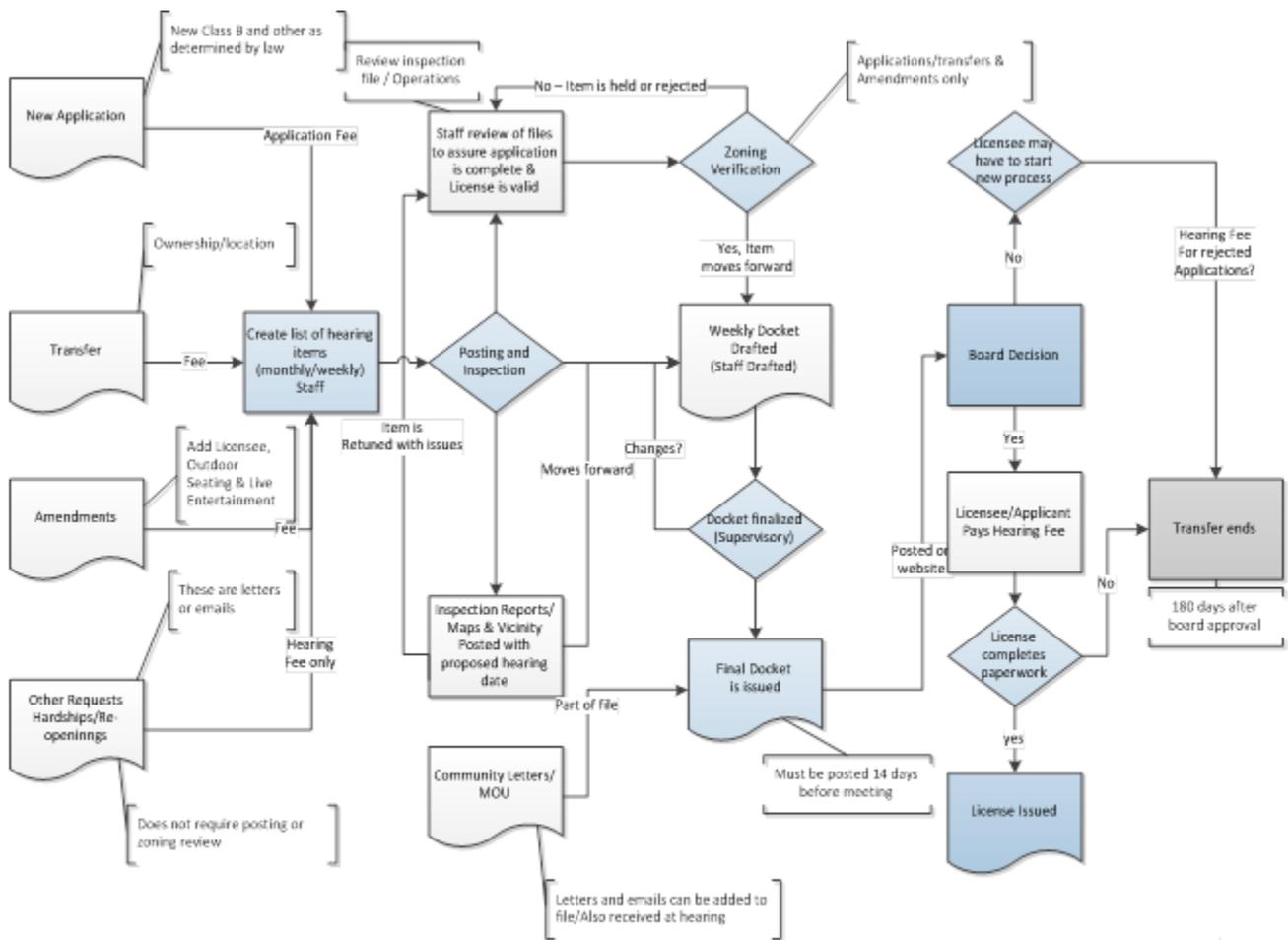
(b) **Service on Licensee:** Licensee was served on xxxxxxxx.

(c) **Witnesses Summoned:** John Chrissomallis and Mark Fosler were summonsed on xxxxxxxx.

(d) **Violation History of Current Licensee:** The current licensee(s) have no history of violations.

(e) **License Transfer Date:** The license transferred to the above named licensees on xxxxxxxx.

BOARD’S DECISION:



Attachment 4

Initial Acceptance List Items - Transfers, Expansions and New Applications

- Completed Application
 - Payment of Application Fee and Advertisement Fee
 - All questions answered (even to note N/A)
 - Floor Plan included
 - Verified voter information
 - Verified Baltimore City Resident (pecuniary at least >1% ownership page 3)
 - Notarized and signed by all applicants
 - Time and Date Stamp (page 4)
 - Staff Completed “Office Use Only”
 - SDAT Information (Print out and/or Scanned)
 - Verify Active License Status
 - License Database Information/History (Print out and/or Scanned)
 - Any Fees/Fines owed to the agency/ HOLDS – note to applicant that this will not be transferred until hold is satisfied and note HOLD on Folder
- Class New “B” Only – (Note that applicant should supply with 10 days)*
- Summary of Improvements and Capital Outlay
 - Menu
 - Verify that seating matches requirements of law

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.05	Pages: 4
Title: Advertisement Policy		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide staff with guidelines on the process for advertising hearing notices and publishing information for the public. Also, this policy provides information to staff on expectations.

Responsible Staff: The Secretary III and/or designated staff will be responsible for creating all documents, maintaining copies of all advertisements and ensure that newspapers are paid in a timely manner. The Deputy Executive Secretary will assure that all invoices are entered by the Secretary III and approved on a regular basis.

Staff Monitor: The Assistant Executive Secretary will monitor the City website and emails to make sure that transfers and new applications are posted and disseminated regularly.

Policy:

(1) Monthly Transfers and New Application Posting:

- a. The Office Secretary III and/or designated staff will prepare a monthly advertisement in compliance with 2.01 I (c) of these SOPs.
- b. Accordingly, the Office Secretary III and/or designated staff shall
 - i. Send a copy of the Advertisement to the BLLC email list
 - ii. Post a copy of transfers/new application Advertisements on the BLLC website

(2) Advertising

- a. The Secretary III and/or designated staff will submit Advertisement to the following 3 Newspapers of general circulation:
 - i. Baltimore Sun
 - ii. Daily Record
 - iii. The Afro

(3) State Notification

- a. The Office Secretary III and/or designated shall prepare monthly transfer postings for the state which is detailed in Attachment B. This information will be sent to Comptroller's office at the same time the other advertisement processes are done.

- i. This shall be done no later than the last business day of the month, each month.

(4) Special Advertisements

- a. The Office Secretary III and/or designated shall charge the applicant a \$500 fee for the special advertisement (Similar to Attachment A – just Note Special Advertisement)

- i. The Office Secretary III and/or designated staff will send copy of the Advertisement to the BLLC email list

- 1. The Office Secretary III and/or designated staff will post copy of the Advertisement on the BLLC website and note the changes and revised information to Comptroller.

- b. The Secretary III and/or designated staff will submit Advertisement to 3 Newspapers

- i. Baltimore Sun

- ii. Daily Record

- iii. The Afro

(5) Procedure Compliance

- a. Failure to post information and/or disseminate information in a timely manner can result in disciplinary action. The Assistant Executive Secretary will monitor the publication of advertisements and the Secretary III and/or other designated staff will maintain a file copy of all advertisements for the public file.

- i. The Office Secretary III and/or other designated staff should note any billing issues and/or responses from advertiser should be noted to management so that other arrangements can be made.

Attachment A (Transfer AD Sample)

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
NOTICE – [MONTH] and [YEAR]

Petitions have been filed by the following applicants for licenses to sell alcoholic beverages at the premises set opposite their respective names. The real property for these applications will be posted on Monday, Month X, 201X. Written protests concerning any application will be accepted until and including the time of the hearing. **Public hearings will be held on or after Month X, 201X.** Interested parties should contact the office of the Board, 231 E. Baltimore Street, 6th Floor, Baltimore, Maryland 21202 or by calling (410) 396-4377 to determine the exact time and date that a particular application will be considered by the Board. Written protests will be acknowledged by the Board and such protestants will be notified as to the date, time and place of the hearing.

- | | | | |
|----|--|--|--------------------|
| 1. | <u>CLASS “A” BEER, WINE & LIQUOR LICENSE</u> | | |
| | Corp Name | Type of Action – Transfer | Location Address |
| | Applicant(s) Name | | |
| 2. | CLASS “B” BEER, WINE & LIQUOR LICENSE | | |
| | XYZ, Inc | Transfer of ownership with live entertainment, | 123 N. Main St. |
| | John Jones | off-premises catering & outdoor table service | |
| 2. | CLASS “BD7” BEER, WINE & LIQUOR LICENSE | | |
| | ABC, LLC | Transfer of ownership/location from 301 | 253 E. Blue Street |
| | Amy Brown | S. Macon to 253 E.Blue Street | |
| | 123, LLC | Transfer of ownership | 454 East Avenue |
| | Tom & Ginny Greene | Expansion | |
| 3. | CLASS “D” BEER & WINE LICENSE | | |
| | WKL, LLC | Transfer of Ownership w/ live entertainment | 130 Yellow Street |
| | Henry Brown & Andrew Pink | | |

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.06	Pages: 5
Title: One Day Licenses		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: The purpose of this SOP is to provide guidance and direction to office personnel on the One Day License Process.

Responsible Staff: Accounting Assistant II, Office Assistant II, and Office Secretary III.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary, Deputy Executive Secretary, and Executive Secretary.

Policy:

- (1) **Timeline:** One-day licenses shall be submitted 10 days in advance of the event. There may be circumstances that applicants are either unable to submit in this timeline and good cause exceptions may be made on a case by case basis. These issues may include:
 - a. Cancellations of events (previously approved)
 - b. Delays in the applicant getting clearance from other authorizing City agencies
 - c. Inclement weather and/or other City emergency
- (2) **Documents for Processing:** Below is a list of documents for the processing of a One-Day License. These items should be noted as part of the application process. All of them may not be needed given the size, location and scope of the event.
 - a. Completed Application and Fee
 - b. All applicants shall submit a flier or other documentation describing and advertising the event
 - c. Non-Profit Club: Internal Revenue Service’s Determination Letter and proof of current good standing
 - d. Association or Society: Articles of Organization or Bylaws Creating Organization Detailing Membership and Officers
 - e. Indoor Event: Authorization letter from property owner and/or Department of Housing and

Community Development Permit

- i. If applicable, BLLC Staff to verify with DHCD that Temporary Authorization Permit is not needed for event.
 - f. Outdoor Event: If applicable, attach Department of Transportation Special Event Permit and Event Boundaries Map
 - g. Alcohol Services Security Plan: Brief explanation how staff will serve only individuals 21 and over
 - h. By COB every Friday, BLLC staff shall email copies of all issued One-Day Licenses for the upcoming weekend to the Police Department for their review.
- (3) **Other Issues:** Please note the frequently ask questions (FAQ) sheet for questions regarding the One – Day license process which is included as **Attachment A**. Also Note **Attachment B** which information from the Board rules on One-Day Licenses.

Attachment A

Required Information/Documentation for One Day Application

All applicants shall submit a flier or other documentation describing and advertising the event

Non-Profit Club: Internal Revenue Service’s Determination Letter and proof of current good standing

Association or Society: Articles of Organization or Bylaws Creating Organization Detailing Membership and Officers

Indoor Event: Authorization letter from property owner and/or Department of Housing and Community Development Permit

Outdoor Event: If applicable, attach Department of Transportation Special Event Permit and Event Boundaries Map

Alcohol Services Security Plan: Brief explanation how staff will serve only individuals 21 and over

Frequently Asked Questions – One-Day Alcoholic Beverages License Application Process

1. Do I need a One Day Alcoholic Beverages License Application if I am holding a private event, wedding, or other similar private function where alcohol will be served, but there is no fee or charge for admission?

Answer: No. An alcoholic beverages license is not necessary for a private event, wedding, or other similar function where there is no charge for admission or fee for alcoholic beverage service.

2. What type of organization can apply for a One Day Alcoholic Beverages License?

Answer: A non-profit club, society, or association composed of citizens over the age of twenty-one (21), organized with officers and a constitution or by-laws. Such members of the non-profit club, society, or association are required to be elected by a formal vote of its members, directors or governing body, and to pay dues during the membership. A for-profit organization cannot submit an application for a One-Day Alcoholic Beverages License.

3. Who can apply for a One Day Alcoholic Beverages License?

Answer: The applicant for the license shall be twenty-one (21) years old at the time of application and authorized by the non-profit club, society, or association to make an application on behalf of said non-profit club, society, or association.

4. When do I need to go to DHCD BEFORE applying for a Liquor License?

Answer: Applicants that desire to hold ANY Indoor Event should contact the Zoning Office in the Department of Housing and Community Development before applying for a One Day Alcoholic Beverages to determine if their event requires a Temporary Use Permit. The phone number for Zoning is 410-396-4126. The BLLC will not issue a One Day Alcoholic Beverages License if the proper permits are not obtained before application to the BLLC.

5. When do I need to go to DOT for a Special Event Permit BEFORE applying for a Liquor License?

Answer: Applicants that desire to hold ANY Outdoor Event should contact the Department of Transportation's Special Events Division at 410-396-1916 before applying for a One Day Alcoholic Beverages. The BLLC will not issue a One Day Alcoholic Beverages License if the proper permits are not obtained before application to the BLLC.

6. What types of One Day Alcoholic Beverages Licenses can I apply for and how much do they cost?

Answer: The cost of a One Day Alcoholic Beverages License varies depending on the type of license the applicant is applying for and the number of days of the event. A Class "C" Beer and Wine License permit has a cost of \$25 per day and a Class "C" Beer, Wine, and Liquor License has a cost of \$50 per day.

7. When should I make an application to the BLLC for a One Day Alcoholic Beverages License?

Answer: Applicants should apply for a special One Day Alcoholic Beverages License at least ten (10) days prior to the scheduled event. Submission of a late application could lead to its automatic denial.

8. What documentation should I bring if I am applying for a license on behalf of a Religious Institution?

Answer: Applicants that are applying on behalf of a religious institution shall bring attach a copy of the religious institution's tax exempt letter, and a letter, on the religious institution's letterhead, from the executive of the particular religious institution granting authority to the applicant to apply for the license and use its grounds to hold the event.

9. What documentation should I bring if I am applying for a license on behalf of a University or College?

Answer: Applicants that are applying on behalf of a University or College shall attach a copy of a letter of authorization from the Dean of Students of the University or College, which includes authorization from the University or College to hold the event on its grounds and verification that the applicant is part of a registered student group or association

10. What rules should a One Day licensee follow and does the license cover off-site consumption/sale?

Answer: All One Day licensees are subject to the rules and regulations set forth by the BLLC and Article 2B. Note: Licensees are responsible for the conduct of their patrons and one day licenses are restricted to on-site consumption only.

11. If I have any additional questions or concerns, who can I call?

Answer: You can call our offices at 410-396-4377 for any additional questions or concerns that you have.

Attachment B

Rule 1.10 – Temporary Special Event Licenses for Non-Profit Clubs/Societies/Associations

(a) A special beer and wine, or beer, wine, and liquor license, license may be issued to a bona-fide club, society, or association, under the Article 2B.

(b) To apply for a license under this Rule, applicants shall submit an application and a letter, on association or club letterhead, to the Board at least 10 days before the scheduled event. In the letter, the applicant should explain to the Board the purposes of the event, the time, date, and location of the event, and the controls that will be put in place to ensure that people under 21 are not served. Submission of a flyer or invitation to the Board detailing all of the needed information will suffice.

(c) If a permit or approval is required by any other governmental agency, the applicant shall provide copies of the permit or approval to the Board before the issuance of the license.

(d) The applicant shall also present documentation from the Internal Revenue Service indicating the applicant's non-profit status. In lieu of the letter, an applicant may also present a copy of a current Maryland State Tax Exempt Card. If the applicant is a subsidiary of a parent or umbrella non-profit organization or has a contractual agreement to fiscally sponsor an eligible organization under this Rule the applicant shall present a letter from the organization stating that relationship.

(e) If the applicant does not have Internal Revenue Service documentation or a Maryland State Tax Exempt Card, the

applicant shall present certified copies of the articles of incorporation and the by-laws of the society/association that indicate the membership of the society/association. At the time of application the Board may request State Identification to confirm the applicant's member status in the society/association. This subsection does not apply to the wine sampling license.

(f) If an application for a temporary special event license includes an estimated attendee count of over 500, the Board shall take into consideration, before issuing the license: past performance of the applicant, comments or concerns raised by any City agencies, and any documentation or communications protesting the licensee's application by the public. If upon review of these items, the Board decides not to issue the license, the Board shall inform the applicant in writing of its decision and the reasons for its decision.

(g) The Board's administrative staff may review an application and conditionally approve it, even if all of the information is not provided on the date of application, provided that such information is submitted to the Board in a timely manner.

(h) If an applicant submits an application for a Temporary Special Event License less than 10 days before the scheduled event, the Board's administrative staff may waive the time requirement if there is good cause and consider the application.

Rule 1.11 – Temporary Licenses for Tastings, Samplings, and Festivals

(a) **Beer and Wine Tasting – One Day License:** a special beer and wine license issued by the Board that permits on premise consumption of wine and beer for tasting or sampling purposes subject to Article 2B. Upon application and approval, the Board may issue this license only to a Class A beer and wine licensee or a Class A beer, wine, and liquor licensee.

(b) **Beer, Wine, and Liquor Tasting – One Day License:** a special beer, wine, and liquor license issued by the Board to the holder of a Class A beer, wine, and liquor license to allow for on premise tastings of beer, wine, and liquor. Upon application and approval the Board may authorize the holder to allow the on-premises consumption of beer, wine, and liquor for tasting or sampling subject to Article 2B.

(c) **Wine Sampling – One Day License:** a special license issued by the Board to a bona-fide non-profit that permits the transportation of wine and the consumption of wine for sampling purposes subject to Article 2B.

(d) **Baltimore Wine Festival:** a special Baltimore Wine Festival license entitles the holder to display and sell at retail wine for consumption on or off the licensed premises on the days and hours designated for a BWF.

(e) **Baltimore Beer Festival:** The Board may issue a special Baltimore Beer Festival license for participation in a beer festival to be held on Class B retail licensed premises or on non-licensed premises located in the City, subject to Article 2B.

(e) **Non-Profit Beer Festival:** The Board may issue a special Non-Profit Beer Festival license for participation in a beer festival to be issued to a Non-Profit Organization, as defined by the Internal Revenue Code.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.07	Pages: 2
Title: Renewal Late Fee Policy		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To develop procedures for the agency renewal application processing late renewal fees and the board approval of these fee waivers.

Responsible Staff: Secretary III and/or other administrative staff

Staff Monitor: Assistant Executive Secretary and/or Executive Secretary

Policy: This outlines general practices for assessing late fees and the process for board review of fee waiver requests.

- (1) **State law on Fees:** State law requires that all Alcoholic Beverage renewal applications must be submitted by March 31st each year. There is a \$50.00 late fee per day if submitted after March 31st of each year.
- (2) **Calculation of late fee:** This office assess the fee per day by calendar days.
- (3) **Collection of Late Fees:** Staff should collect the late fees with the renewal application and inform the licensee that the process will take at least 60 days for processing, if a refund is granted.
- (4) **Licensee Requests:** Licensees should submit a letter to request that the board for waive the late fees that have been assessed.
- (5) **Staff Process:** Below are the steps that will be followed by staff.
 - a. Staff will Date Stamp the Licensee request letter
 - b. Staff will complete the information on the fee waiver form which has been attached as **Attachment A**. (Each year, office staff will update the form as part of the renewal process)
 - c. Staff will note the request for Fee Waiver on the licensee database.
 - d. Staff will provide a file for the Executive Secretary to provide to the board on review and approve request for Fee waivers.
 - e. The Chair/board designee will review the documents and approve or disapprove the request.
 - f. The Executive Secretary will provide staff with the approved and not approved waiver and staff will

contact licensees accordingly.

- g. Staff will note the database on the board decision and will inform the licensees by letter, phone and/or email.
- h. Secretary III will process any reimbursement checks for licensees and will be responsible for mailing any checks and/or preparing correspondence to the licensee.

Attachment A
BOARD OF LIQUOR LICENSE COMMISSIONERS RENEWAL LATE FEE WAIVER

TRADE NAME: _____

LICENSEE NAME: _____

ADDRESS: _____

DATES OF RENEWAL FILING: 2015 _____

2014 _____

2013 _____

NUMBER OF DAYS LATE (CURRENT RENEWAL) _____

HAVE ANY FEES BEEN PAID IN THE LAST (2) YEARS? _____

DATE AND AMOUNT PAID _____

IF LICENSEE WAS LATE IN THE LAST (2) YEARS AND A WAIVER OF FEES WAS GRANTED, LIST THE AMOUNT OF THE POTENTIAL FINE AND WAIVER

POTENTIAL FINE AMOUNT: _____

WAIVER AMOUNT: _____

ACTION BY THE BOARD

POTENTIAL FINE: _____

AMOUNT WAIVED _____ NO WAIVER _____

FULL WAIVER _____ PARTIAL WAIVER _____

CHAIR SIGNATURE _____ DATE: _____

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.08	Pages: 2
Title: Recordation of Board Hearings and State Reports		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: The purpose of this SOP is to provide guidance and direction to office personnel on the recordation of Board Decisions and associated fees resulting from BLLC public hearings.

Responsible Staff: Accounting Assistant II, Office Assistant II, and Office Secretary III

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary, Deputy Executive Secretary, and Executive Secretary.

Policy:

(1) Recordation of Board Decisions, Fines, and Fees: The information below outlines the process of recording board hearing information.

- a. **Data Entry** - No later than the following Tuesday after BLLC’s public hearing, the office personnel assigned by the Executive Secretary to staff BLLC’s public hearings shall record the following information as stated below within the corresponding “Long Docket Template” for the applicable date. The staff will also enter this information into the Liquor Board database comment section.
- b. **Transfers/New Applicants/Expansions/Hardship Fees** - For each separate transfer application, new application, expansion application, or hardship extension, the assigned office personnel will document the following information for each respective entry:
 - i. A list of all witnesses that appeared before the Board and the groups or organizations they represent; and the overall decision of the Board and the vote count per Board member; and the administrative fee of **\$100.00 and whether it was paid or not;** *(Please note: **starting June 1, 2016** all Transfer/New/Hardship/Extension applicants will be required to pay the hearing fee at the time that the application is made)*
 - ii. A letter will be mailed to the applicant/licensee if they have not paid their fee at the meeting by the office staff as reminder along with a copy of the information that is still needed to complete transfer.

- c. **Violation Fines/Fees/Suspensions/Revocations** - For each separate violation, the assigned office personnel will document the following information for each respective entry:
 - i. A list of all witnesses that appeared before the Board and the groups or organizations they represent;
 - ii. The overall decision of the Board and the vote count per Board member;
 - iii. If applicable, how many days the licensee's privilege was suspended or revoked;
 - iv. The amount of the fines received for each violation that the Board sustained, including the \$125 admin fee;
 - v. The due date of the fine and fines. The standard time line for due date is 30 days after the hearing. If the licensee does not pay the fine in full within 30 days, the BLLC shall authorize the collection of the license and the licensee shall cease the sale of alcoholic beverages until Board receives the total amount of the fine paid in full.
- d. **Fee Information Transmittal** - After recording the various and separate fees, the office personnel will transmit a record of those fees to the Accounting Assistant for the purposes of tracking the fee information.
- e. **Processing Payment & Transmittal of Fee Information** - For any fine or fees received on the date of the hearing, processing of said fees or fines shall be processed by the Office Assistant that handles the hearing process and then this information is given to the Accounting Assistant.
- f. **Summary of Board Notes** – The Office Assistant II will be responsible for maintaining a summary of Board Hearings and notes. This summary should note the following for each case:
 - i. Commissioners Present
 - ii. Licensee/Attorney Present
 - iii. Action Taken (Postponed/Approval/Disapproval/Guilty/ Dismissed)
 - iv. Other Notes or issues noted by the board

(2) **Reporting to State Procedures:** The information below outlines the two types of reports that should be maintained by the agency.

- g. **TRANSFER REPORT:** The Office Assistant II will be responsible for the Transfer Report that is kept by the agency that is sent to the State. (Attachment A)
 - i. This information will be completed on monthly basis
 - ii. This information will be stored on an agency shared drive
- h. **MONTHLY VIOLATION REPORT (Attachment B):** The information on violations should be kept up to date so by the Office Assistant and/or other staff so that information for the violation report is available for the Accounting Assistant II to complete in a timely manner.

This report is summarized at the end of the year. The Annual report is due July 15th. This must be reviewed by the Assistant Executive Secretary before it is submitted.

Attachment A – SAMPLE Transfer/New and Late Renewal - Item and Notes

Type of Transaction (s)	<input type="checkbox"/> Add	<input type="checkbox"/> Delete	<input type="checkbox"/> Change
Central Registration #: CR number		City or County License #: Letters and numbers	
Class and Type of License: letters only <input type="checkbox"/> <input type="checkbox"/> On <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Off		Transaction Date : Date of invoice	
Entity or Corporate Name :			
Trade Name :			
Retailer's Address :			
Retailer's Telephone # :			
Licensee 1 :			
Licensee 2 :			
Licensee 3 :			
Remarks: LATE RENEWAL PAID NEW LICENSE TRANSFER OWNERSHIP			

- Change symbol to reflect deletion of old licensee, new licensee or if it is a change i.e. name change, corporate change, etc.
- Change symbol to reflect whether sale of alcohol is on premise, off premise or both. For example LBD7 is both on and off.
- Remove the remarks that do not pertain to the information being entered.
- Most transfers will have two information blocks reflecting a deletion of a licensee and an addition of a licensee.
- Email to Assistant Executive Secretary for review. Upon return of email, make changes and send back for review. Once approved for release send to:
 - Aaron Greenfield – agreenfield@comp.state.md.us
 - Thomasina Parker – tparker@comp.state.md.us

Attachment B – SAMPLE Violation Reports – Completed Monthly – Due Annual – July 15th

MONTHLY REPORT OF VIOLATIONS / SUSPENSIONS / REVOCATIONS			HD Date
CR # : 14419191	CLASS # : LBD7	LICENSE # : LBD7 015	
CORPORATE NAME: JUAN PORTILLO LLC		TRADE NAME: SANTA CLARA	
ADDRESS : 529 BOND STREET SOUTH		ZIPCODE : 21231	
LICENSEE #1 : JUAN J PORTILLO	LICENSEE #2:	LICENSEE # 3:	
VIOLATION	VIOL.CODE	DECISION & PENALTY	
SERVING AFTER HOURS	RULE 4.05(a)	GUILTY \$500 suspended \$250	
SERVING AFTER HOURS	RULE 4.05(b)	DISMISSED	
ACTIVITY AFTER HOURS	Article 2B§11-304(d)(2)	DISMISSED	
RECORDS	RULE 3.03(c)	GUILTY \$50	
CHARTER OF LIMITED LIABILITY NOT IN GOOD STANDING	RULE 4.18	GUILTY \$250	
		REMARKS: FINE \$550	

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.09	Pages: 1
Title: Review of Applications and Forms		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: The purpose of this SOP is to provide guidance and direction to office personnel in the review of forms and applications.

Responsible Staff: Office Staff and Deputy Executive Secretary.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary, Deputy Executive Secretary, and Executive Secretary.

Policy: Review of Applications and Forms

- (1) **Frequency:** On a yearly basis, staff should assess the forms and applications that are being used to make sure that information is adequately meeting the needs of the organization. Renewal applications and polices should be reviewed late in the calendar year before the renewal season begins in March of the following year.
- (2) **Process:**
 - a. If an issue is found in a form or document, office staff should bring this information to the attention of the Deputy Executive Secretary for review and legal sufficiency.
 - b. After review and possible changes the Deputy Secretary will make changes and /or preliminarily approve the form for use.
 - c. The Deputy Executive Secretary will send all forms and applications to the Comptroller for final approval with date of the revision noted on the new form.
 - d. After approval Administrative staff will post the new forms online and get rid of old versions. Staff may also email electronic copies to groups who frequently use these forms to ensure that new forms are being implemented.

Any questions regarding this policy can be addressed by the Executive Secretary.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.10	Pages: 3
Title: Collections Process		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To establish procedures for the collection of fees for the agency.

Responsible Staff: Accounting Assistant and/or other administrative staff.

Staff Monitor: Assistant Executive Secretary and/or Executive Secretary.

General Procedure: This outlines general practices for the collection of fees and fines for the agency.

- (1) **Fee Policy:** In accordance with BLLC policy, the administrative hearing fee is \$100 – **as of June 1, 2016 this fee will be collected up front as part of the total application fee** – and the administrative fee for violations hearing is \$125. The amount of the violation will vary by case and is limited by offense by State Law.
- (2) **Hearing Procedure:** At the hearing, a fee receipt slips shall be marked by office personnel indicating whether the applicant/license has paid in full or a balance remains for the administrative Hearing Fee and Violation Fees before delivery to the Accounting Assistant. *After June 1, 2016 all licensees filing license applications for transfers/new/hardships/expansions will pay the \$100 hearing fee as part of their application fee.*
- (3) **System Entry:** Information must be entered into the database by the office personnel immediately after hearings and notice is given to the applicant that either that the hearing fee is due and /or paid. If paid, then the collection process is complete and it is noted in the system.
- (4) **Suspension for Non-Payment /License Pick-up Process:** If licensee has not paid the entire balance of the license fee within *30 days* after the issuance of the fine the inspection staff shall pick up the license and issue an immediate suspension for non-payment. The agency will provide the licensee with a copy of an invoice (Attachment A) and letter (Attachment B). The Accounting Assistant will review the license pick up list with the Assistant Executive Secretary to assure accuracy.
- (5) **Collection Process:** Fees in excess of \$1000.00 may go to a formal collection process with the Law department and documentation must be kept to verify collections methods.
- (6) **License Holds:** Holds are placed on licenses with past dues fees and fines during the licensee year after 30+ days and/or before the renewal process to note that funds must be paid before renewal as per the renewal procedure. This should be done for all licenses even those sent to collections.

ALBERT J. MATRICCIANI, JR.
CHAIRMAN

COMMISSIONERS
AARON J. GREENFIELD, ESQ.
DANA P. MOORE, ESQ.

ALTERNATE COMMISSIONER
HARVEY E. JONES



DOUGLAS K. PAIGE
ACTING EXECUTIVE SECRETARY

THOMAS R. AKRAS, ESQ.
DEPUTY EXECUTIVE SECRETARY

STACI L. RUSSELL
ACTING ASSISTANT EXECUTIVE
SECRETARY

STATE OF MARYLAND
BOARD OF LIQUOR LICENSE COMMISSIONERS
FOR BALTIMORE CITY
231 E. BALTIMORE STREET, 6TH FLOOR
BALTIMORE, MARYLAND, 21202-3258

Attachment B

Date

Licensee
Location address

Re: Failure to Pay Violation – License Suspension

Dear Licensee,

This letter serves notification that the **Licensee** which was licensed at **Address** owes a **Violation Hearing Fine** in the amount of **\$XXX.XX** to the Board of Liquor License Commissioners for Baltimore City (BLLC) and due to non-payment the license has been immediately suspended.

You were assessed with violation of Board rules on **Hearing Date**. At that time you were given a receipt of the balance owed to the BLLC and its corresponding due date. You have failed to make payment after several collection attempts and notices by our office.

Thus, your license has been suspended by the authority of board starting today, Date, until the payment of the entire balance due BLLC is paid in full in certified funds (Cashier Check and/or Money Order). To resolve this situation and re-open, you must pay the entire fee of \$XXX.00 immediately.

If there are any questions on this matter please contact our office at (410) 396-4377. If you have proof of prior payment of this matter you must provide copies of your receipt and canceled checks to close out this matter.

Sincerely,

Douglas K. Paige
Acting Executive Secretary

Licensee Acknowledgement

Delivered by – BLLC Inspector

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.11	Pages: 3
Title: Deposits and Reconciliations		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To establish procedures for the completion of deposits for the department.

Responsible Staff: Accounting Assistant and/or other administrative staff.

Staff Monitor: Assistant Executive Secretary and/or Executive Secretary.

Policy: Deposits should be prepared daily or on a weekly basis depending on the amount of funds and the number of checks collected.

(1) PREPARE DEPOSIT

- a. Collect all invoices and checks – *Check on daily basis to make sure all checks are secured at the end of the business day.*
- b. Make sure that all checks have been stamped and properly endorsed for deposit and made payable to *DIRECTOR OF FINANCE*
- c. Put invoices in numerical order
- d. Put checks in numerical order
- e. Prepare batch sheet
- f. List missing invoices on batch sheet - *Make sure staff has all checks, must research missing checks w/bottom portion with scan line i.e. was it voided on just not in the batch?*
- g. Review all invoices to ensure that duplicates or issues are corrected promptly.
- h. Review that check written amount equals numerical amount and that check is written for the amount that is on the invoice.

(2) PREPARE BATCH

- a. In liquor board - cash receipts program go to:
 - i. Administrative functions
 - ii. Payment Processor
 - iii. Payment Processor File Preparation

- iv. Create New Batch (will automatically select a batch number)
 - 1. Systematically clear all invoice numbers from your current batch.
- b. Make copies of the batch:
 - i. 1 copy (printed in portrait) is put into the envelope with the check and another for reconciliation purposes
- c. Put cleared checks with a copy of the entire batch created in envelope
- d. Take deposit to Finance and get verification of the deposit.
- e. Maintain a log of Deposit for the month
 - i. Record of the Deposit in the Tracking Program (Excel and/or QuickBooks)
 - ii. Note Adjustments and other items

(3) PREPARE MONTHLY RECONCILLATION

- a. Collect deposits and batches for a one month period
- b. Compare information from cash receipts system and city dynamics to ensure that the amount that were deposited match
- c. Note any discrepancies in amounts and verify that totals are correct
- d. Record Information in Tracking Program – Month/Year Reconciliation Report
 - i. This is saved on the S Drive
- e. Provide copies of monthly reconciliations to Assistant Executive Secretary for review.
- f. Reconciliations must be completed monthly and by the 20th on the following the end of the previous month.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.12	Pages: 3
Title: MPIA – Personal Information Protection Policy		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to BLLC staff on Redactions of Applications and Licensee Files in order to comply with the Alcoholic Beverages Act of 2014.

Responsible Staff: Assigned BLLC Office Personnel, Executive Secretary, Deputy Executive Secretary, and Assistant Executive Secretary.

Staff Monitor: Staff will be monitored by the Executive Secretary.

Procedure:

(a) Protection of Personal Information within Agency Records

(1) BLLC staff shall make their best efforts to comply with the Maryland Public Information Act of 2015 (MPIA) and provide protection by shielding the personal information of licensees in accordance with the law. As per Md. Gen Prov. §4-101(h)(2), “Personal Information” includes:

- (1) Name
- (2) Address
- (3) Driver's license number or any other identification number
- (4) Medical or disability information
- (5) Photograph or computer-generated image
- (6) Social Security number; and
- (7) Telephone number

(b) Requests for Information from Agency

(1) **Requests to Inspect Public Records** – BLLC shall attempt to reasonably accommodate members of the public to inspect agency case files in compliance with the MPIA, provided that the individual seeking to inspect the record provides the following information to the BLLC in application to inspect:

- (a) Date of Request
- (b) Address of the Liquor Licensed Establishment(s)

- of applicant (c) Name of the Requestor – BLLC shall ask for a copy of a photo identification
- (d) Signature of the Requestor

(2) Application for Specific Agency Records – Within 30 days from the receipt of request, the BLLC shall attempt to reasonably accommodate applications for requests of specific agency documents in compliance with the MPIA, provided that the applicant provides the following information to the BLLC:

- (a) Date of Request
- (b) Address of the Liquor Licensed Establishment(s)
- (c) Name of the Requestor
- (d) Specific Type of Documentation or Information Requested from the Agency
- (e) Date Range of Request concerning
- (d) Signature of the Requestor

(3) Response Communication Provided to Every Request – Upon receipt of request for public information, the BLLC shall send notice to the requestor that the production of records may take more than 10 days. In addition, the letter shall also state:

- request; and (a) Approximately how long it will take the agency to comply with the MPIA
- (b) The reason for the delay; and
- (c) An estimation of the costs for production of the records

(4) Immediately Available Information Upon Request – As per Md. Gen Prov. §4-201(c)(2), the BLLC shall make the following documents within a licensee’s case file immediately available upon request, provided that a proper application has been made to the agency and that the licensee’s case file is not currently being utilized by the agency:

- the request (a) A copy of the licensee application for the current license year
- (b) Hard copies of closed agency reports performed within the prior 6 months to
- (c) A copy of the license

(5) Public Records that May be Made Available Upon Request – As per Md. Gen Prov. §4-201(c)(1), the BLLC may make a licensee’s case file immediately available upon request, provided that a proper application has been made to the agency and that the licensee’s case file is not currently being utilized by the agency.

(c) Information Published by the Agency

(1) In compliance with the Alcoholic Beverages Act of 2014, it is the goal of the agency to digitize and post on-line all records for public review. However, when publishing on-line agency/case-file related documents, in compliance with the MPIA, the agency shall restrict access to the Personal Information of its licensees in the following areas:

- (a) Personal Addresses
- (b) Driver's license number or any other identification number
- (c) Personal Medical or disability information
- (d) Photograph or computer-generated image of Licensee
- (e) Social Security number
- (f) Personal Telephone number
- (g) Criminal Background Investigation Documentation
- (h) Personal Financial Banking Account Information
- (i) Intra-agency Memos or Correspondence
- (j) On-Going Criminal and BLLC Investigation Reports

(d) Denial of Application or Request for Agency Documentation or Licensee Information

(1) If the designated custodian believes that inspection of a part of a public record by the applicant would be contrary to the public interest, the custodian may deny inspection by the applicant of that part of the record.

(a) The denial letter shall include a brief description of the undisclosed document. It shall contain enough information for the requestor to access the applicability of the legal authority cited for not disclosing.

(2) Within ten (10) days of the denial of inspection or documentation requested by the applicant, the custodian shall send a letter to the applicant and provide an explanation as to why the request made to the agency was denied.

(e) Custodian of Records for Agency

(1) The Deputy Executive Secretary shall serve as custodian of records for the agency.

(2) The Deputy Executive Secretary may assign certain duties such as processing applications for public information, compiling requested documentation, redacting certain information, etc.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.13	Pages: 3
Title: Other – Growlers, Ancillary Privileges, and other Administrative Items		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to office personnel concerning license issues regarding request for Growlers, Off Premises Catering, Delivery and Processing of Hardship Extensions, Request to re-open, Temporary License Extensions and Sunday Licenses.

Responsible Staff: Secretary III, Accounting Assistant II, Office Assistant II, and Office Secretary III.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary and Executive Secretary.

Procedure:

Growlers: Below are items that staff shall consider when processing these requests.

Note: Rule 1.09 Ancillary Privileges (b)(1) Refillable Container License: *a refillable container license entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces. The applicant shall complete the application process as specified by the Board. An applicant who holds a license without an off premise sale privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the license that the applicant holds. All sales of draft beer distributed through refillable containers shall end at midnight.*

Licensee(s) who want to add Growlers only to existing location can do so administratively by completing the following steps: (Class Types B, BD7 and D – note if the license does not already have permission for off premises consumption)

1. The licensee should complete Growler Application and pay fee
 - a. Include an example of Growler – label and bottle
2. Be in good standing with agency and have no holds on their license

Off Premises Catering Request Only: Below are items that staff shall consider when processing these requests.

Note: Rule 1.09 Ancillary Privileges (a) (iii) Catering Privilege License: *The privilege of providing alcoholic beverages along with catered food may be granted by the Board only after the holder files a catering privilege application with the Board. The licensee who holds the special off- sale caterer*

privilege may contract to provide food and alcoholic beverages for consumption at a catered event. The licensee may exercise the special off-sale caterer privilege only during hours and days that are permitted for the licensee's existing beer and wine or beer, wine and liquor license. A licensee who holds a special off-sale caterer privilege shall have the facilities to prepare and deliver food to the site of the catered event. The City Health Department shall approve the food preparation facilities and issue a caterer's license before the Board adds or renews a special off-sale caterer privilege. A special off-sale caterer privilege may be renewed.

Licensee(s) who want to add off premises catering only to existing location can do so administratively by completing the following steps:

- i. The licensee should be in good standing with agency and have no holds on their license
- ii. The Licensee shall obtain the necessary permit from the Health Department
- iii. Pay a \$500 fee; this is an annual fee for the licensee

Delivery: Below are items that staff shall consider when processing these requests:

1. Staff should verify at renewal each year that delivery is being done and note this request on the license.
2. Note: Rule 3.11 – Delivery of Alcoholic Beverages (a) **Registration Process:** *All licensees desiring to deliver alcoholic beverages shall complete a delivery registration form with original signatures of the licensees and receive a letter of authorization from the Board before deliveries may be made. Delivery approval will be noted on the licensees' licenses.*

(b) Delivery Protocols and Limitations:

(i) Each delivery person shall be an employee of the licensee. A retail delivery person shall be at least 18 years of age.

(ii) Alcoholic beverages shall be delivered in a sealed package or container. No mixed drinks may be delivered.

(iii) To complete delivery of a shipment, the delivery person shall require from the intended recipient at the address listed on the shipping label:

(1) The signature of the intended recipient who is at least 21 years old;

(2) A government-issued photographic identification showing that the intended recipient is at least 21 years old.

(iv) delivery person shall refuse delivery if the intended recipient:

(1) Is under 21 years old;

(2) Refuses to sign the form required under subparagraph (v) of this paragraph, or

(3) Appears to be intoxicated.

(v) *Each delivery shall be acknowledged by the intended recipient through the completion of a delivery form, a copy of which shall be provided to the intended recipient.*

(vi) *The original delivery forms and/or approved electronic records of sales shall be made available to the Board's inspectors on inspection of the licensee's premises.*

(vii) **On-Line Delivery Service** – *Licensees that provide delivery service upon request by customers through any mode of electronic contact (e.g. smartphone application, or internet on-line purchase, etc.), shall deliver those alcoholic beverages in accordance with this section.*

(viii) *Deliveries may not be made to another licensed establishment.*

(ix) *Deliveries may be made only within the City.*

(x) *Class A Wine and Beer licensees may deliver beer and wine.*

(xi) *Class A Beer, Wine and Liquor licensees may deliver any type of alcoholic beverage.*

(xii) *Class B/D, (beer only) licensees may deliver beer only.*

(xiii) *Class B/D, beer and wine licensees may deliver beer and wine.*

(xiv) *Classes B, D, and BD7, beer, wine and liquor licensees may deliver any type of alcoholic beverage.*

(xvi) *The privilege of delivering alcoholic beverages may be withdrawn immediately by the Board if a restriction is not followed.*

Temporary License Extensions Process: Below are items that staff shall consider when processing these requests.

1. Staff should always date stamp and record when a request for an extension is received. The processing of these requests are routinely handled by the Secretary III but in his/her absence, all staff should be aware of these procedures.
2. Staff should note if this request involves right-of-way permission and if proof has been provided.
3. Staff should have payment for these items with requests and payment processing should occur as per board policy. The fee is \$200 per day.
4. The Secretary III will prepare a letter for the Signature of the Executive Secretary that notes that permission has been granted.

Note: Rule 1.09 Ancillary Privileges (a) (ii) Temporary License Premise Extension: *A Temporary License Premise Extension allows a licensee to extend alcoholic beverages service to an area immediately outside the licensed premise and/or an area authorized by the City under an issued permit. Licensees are responsible for ensuring that the sale and consumption of alcoholic beverages from the premises are in a fixed area preventing patrons from leaving the area with an alcoholic beverage.*

(I) A license extension may be issued to all annual license holders, except Class A and Class A-2 licensees. The extension authorizes the license holder to sell, serve, and allow consumption of beer, wine, and/or liquor, if applicable, on the premises of the extension area.

(II) To be issued a license extension, an applicant shall submit an application to the Board at least 10 days before the event for which the extension is sought.

(1)The application shall contain or be submitted with a letter specifying:

(i) The purposes of the extension;

(ii) The time, date, and location of the event for which the license extension is to be used; and

(iii) The size of the extension area;

(iv) Proof of all needed permits and approvals from State and local agencies; and

(v) Payment of the application fee.

(III) After a review of the licensee's application, the licensee's temporary license extension past performance and any documentation protesting the application, the Board may issue the permit, unless the Board requires more information or an additional payment from the applicant.

Special Sunday Licenses: This only applies to Class A & D licensees and below are items that staff shall consider when processing these request.

1. Staff should always date stamp and record when a request for an extension is received. The processing of these requests are routinely handled by the Secretary III but in the absence of this position all staff should be aware of these procedures.
2. The fee for this special license is \$75 per day.
3. The licensee database notes the issuance of these requests and the certain number for the year by class type.
4. **Note: Rule 1.12 – Special Sunday One-Day Licenses for Class A and D Licensees**

(a) Class A – Special Sunday License (Thanksgiving to New Year's): The Board may issue to the holder of a Class A alcoholic beverages license a Special Sunday license that allows the holder, subject to Article 2B, to exercise the off-sale license privilege on the Sundays that fall between Thanksgiving Day and New Year's Day from 1 p.m. and 9 p.m.

(b) Class A – Special Two Additional Sunday Licenses: The Board may issue to the holder of a Class A alcoholic beverages license a Special Sunday license that allows the holder to exercise the off-sale license privilege on two additional Sundays during the calendar year subject to Article 2B.

(c) Class D – Supplemental Sunday License: The Board may issue a supplemental license no more than (4 times during a calendar year to a holder of a Class D beer, wine, and liquor license. The license authorizes the holder to sell alcoholic beverages from 6 a.m. on Sunday to 1 a.m. the following day, subject to Article 2B.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.14	Pages: 3
Title: Other – Hardship Extensions and Requests to Reopen		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to office personnel license issues regarding request for Hardship Extensions and Requests to re-open.

Responsible Staff: Secretary III, Accounting Assistant II, Office Assistant II, and Office Secretary III.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary and Executive Secretary.

Procedure:

Hardship Extension Process: Below are items that staff shall consider when processing these requests.

1. Staff should always date stamp and record when a request for Hardship Extension is received. Staff will provide a copy of the license history and information of the establishment as part of the board report.
2. **Note: Rule 2.15 Hardship Extensions:** *In accordance with Article 2B, before a licensed premise in the City that has been closed for up to 180 days may be the reopened, the affected licensee shall submit to the Board a “Hardship Extension Request” that includes the following:*
 - (i) *A request for a hardship extension is filed with the Board within the 180 day period; and*
 - (ii) *The approximate date when the establishment closed and/or last date of operation; and*
 - (iii) *A brief description of the undue hardship that led to the closure of the establishment for 180 days; and*
 - (iv) *check or money order made payable to the “Director of Finance” for \$100 to cover the costs of the hearing.*

(b) **Criteria that Board may consider:** *Upon review the Board may consider the following criteria when making the determination to grant the hardship extension:*

(i) The nature of the undue hardship as it exists;

(ii) The testimony and/or evidence submitted on the record of any of the witnesses on behalf of the affected licensee, including the licensee as to why the undue hardship extension should be granted; or

(iii) Any other reason that the Board deems fit and appropriate.

Requests to re-open after 3 months: Below are items that staff shall consider when processing these requests:

1. Staff should always date stamp and record when a request to re-open is received. Staff will provide a copy of the license history and information of the establishment as part of the board report.
2. Staff may also want to check to see if a letter for non-operations has been sent by inspections and note to the Chief Inspector that a request to re-open has been received.
3. **Note: Rule 2.14 Requests to Open after 90 Days:** (a)**Procedure:** *Before a licensed premise in the City that has been closed for at least 3 consecutive months may be reopened, the affected licensee shall submit to the Board a "Request to Reopen" that includes the following:*

(i) A request for a hearing and approval to reopen; and

(ii) The approximate date when the establishment closed; and

(iii) A check or money order made payable to the "Director of Finance" for \$100.00 to cover the costs of the hearing

(b) Required Documents to be submitted after Board approval: *Upon being approved to reopen by the Board, the applicant shall submit up to date copies of the following documents and/or information to the Board's Administrative Staff before the license to reopen is issued:*

(i) Trader's License; and

(ii) City Health Permit (if applicable); and

(iii) City Use and Occupancy Permit; (if applicable) and

(iv) Sales Tax License; and

(v) Verification that the corporation that owns the license is active and in good standing with the State Department of Assessment and Taxation

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 2: Administrative and Accounting	Number: 2.15	Pages: 3
Title: Cash Receipts Systems and Voids		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to office personnel on issues related to Cash Receipts, VOIDS and other control matters.

Responsible Staff: Secretary III, Accounting Assistant II, Office Assistant II, and Office Secretary III.

Staff Monitor: Staff will be monitored by the Assistant Executive Secretary and Executive Secretary.

Procedure:

1. The Cash receipt system is to be used by all clerical administrative staff as noted above to take payments for various items.
2. Note all payments properly and make sure that you verify the following information
 - a. Licensee /Name/Address
 - b. Type of Fee being paid
 - c. Amount
 - d. Note that the check is made payable to “Director of Finance)
 - e. Note the Check is secured, and stamped/endorsed for deposit after the transaction has been entered.
3. When processing VOIDS, the person who entered the payment should not also enter VOID. Please contact the Assistant Executive Secretary or the Accounting Assistant to initiate a VOID.
4. Reasons for entering VOID’s
 - a. Entry error and/or Incorrect amount – Note change and information
 - b. Other – refunds – Note these type of changes to supervisor
5. Enter comments into payment system on reason why VOID was done and corrected action.

Section 3: Inspections and Violation Process



Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.01	Pages: 2
Title: Special Investigations		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to Inspector staff concerning Special Investigations concerning alcoholic beverage/adult entertainment establishments within the City of Baltimore.

Responsible Staff: All Inspector Personnel, including full-time and part-time inspector staff.

Staff Monitor: Staff will be monitored in the investigation process by the Chief Inspector and/or Assistant Chief Inspector.

Procedure: All inspectors will be required to:

1) Basis of Referral for Special Investigations

a. Complaint Driven

- i. If the BLLC receives multiple complaints about a certain location (complaints can come from community members, 311 calls, or anonymous tips, etc.) and follow-up BLLC inspections indicate that more serious violations may be occurring on the licensed establishment, then the BLLC may initiate a Special Investigation.

b. Supervisor Approval

- i. BLLC Special Investigations shall occur only after approval is provided by the Chief Inspector and/or Assistant Chief Inspector.
 - 1. If the Chief Inspector and Assistant Chief Inspector are unavailable, then the Agent In Charge (Inspector III) shall give approval before any Special Investigation is occur

ii. Timeframe for Investigation

- 1. Both the Chief Inspector and/or Assistant Chief Inspector shall determine the length of time dedicated to conduct a Special Investigation by inspectors.

2) Special Investigation Protocol

a. Number of Inspectors Assigned: At least 2

- i. A Special Investigation shall be conducted by no less than 2 inspectors at any given time.
 - 1. **Exception** - If any Federal, State, or City agency is taking the lead role in a Special Investigation, then one or more inspectors may be assigned

b. Special Investigation Protocol

i. Discrete Observation

1. Exterior Observations

- a. Depending upon the complaint, make exterior observations
- b. Determine if alleged activity is occurring
- c. Note safety considerations and contact supervisor if overall safety at location is an issue.

2. Noise Complaints

- a. Assess noise levels
 - **Reasonable Person** standard – if music or noise can be heard in the neighborhood within radius of neighbors
 - Is location in a commercial or industrial area and note if there are other establishments that could be creating a disturbance – note observations in report.

3. Interior Observations

- a. Enter the establishment, make interior observations depending upon the complaint, and note if issue observed or not.

ii. Overt/Covert Activities to Determine Validity of the Violation

1. BLLC in conjunction with other Federal, State, or City agencies may investigate an establishment using personnel in a covert manner to determine if an establishment is engaging in behavior that is in violation of Federal, State, or local laws, including the Rules and Regulations of the BLLC.

iii. Observation of Violation

1. Report shall be drafted

- a. If violation occurs – *even in the presence of another law enforcement officer that is drafting his/her own independent violation report* – then BLLC Inspector is required to draft a report detailing the investigation and facts observed by the inspector. The inspector shall draft the report of the observed violation by the next working day and enter that report into the inspector data base system (Sharepoint). Generally, a copy of the report is provided to the person in operational control, but if a determination is made by the inspector that a follow-up Special Investigation needs to occur then a copy of the initial Special Investigation report does not need to be provided to the person in operational control.

2. Photos

- a. All reports should be accompanied by photos taken by the inspector of the establishment and/or violation if possible.

3. Submission of Photos and Report

- a. Submission of Photos and Report concerning Special Investigation to Chief Inspector or Assistant Chief Inspection shall be completed within 5 days after observations are made

3) Charging Violations from a Special Investigation

a. Approval for Charging

- i. If upon review of inspection report(s) the Chief Inspector or Assistant Chief Inspector believes that a violation has occurred, they shall submit the documentation to the Deputy Executive Secretary to be charged.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.02	Pages: 2
Title: 311 Response Policy		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to Inspector staff concerning 311 generated alcoholic beverage/adult entertainment inspections conducted within the City of Baltimore.

Responsible Staff: All Inspector Personnel, including full-time and part-time inspector staff.

Staff Monitor: Staff will be monitored in the inspection process by the Chief Inspector.

Procedure: All inspectors will be required to:

1) Assignment of 311 Responsibilities

- a. The district inspector is responsible for 311 call in his/her assigned District during regular shifts
 - i. 311 call locations dictate assigned Inspector.
- b. During the workweek, the 311 call is assigned that Inspector must reply to ALL and let all other inspectors know that they are taking the call.
 - i. **Weekend Exception** – 311 calls assigned to inspectors working during Friday/Saturday/Sunday shifts shall be equally distributed to both part-time and full-time inspectors

2) Preliminary Investigation

- a. If a phone number for the complaint is provided, give them a call to ask for more information about issues.
- b. Verify Address has a Liquor License**
 - i. If the address is not a licensed liquor establishment then CLOSE OUT
 - 1. Close out the CSR (Customer Service Requests) and indicate in email/311 report that (Example: “this is not a licensed establishment.”)

3) Investigation, Observations, and Reporting

- a. Exterior Observations**
 - i. Depending upon the complaint, make exterior observations
 - ii. Assess noise levels (use decibel meter, if available)
 - iii. Note safety considerations and contact supervisor if overall safety at location is an issue.
- b. Interior Observations**
 - i. Enter the establishment, make interior observations depending upon

the complaint, and note if issue observed or not.

1. Patron Age (under age activities/sale to minors)

c. Notification

- i. Notify the bartender/manager of your presence and inform him/her of the complaint

d. Further Investigation (complaint dependent)

- i. Question bartender/manager
 1. Also question staff/patrons
- ii. Ask to make any other interior or exterior inspections that are not readily accessible to the public, if necessary to investigate the complaint
 1. Invoices, employee records, etc.
 2. Inspectors may also choose to complete a routine inspection if situation allows

e. Results

- i. BLLC Inspector to make determination that violation occurred due to 311 complaints OR that complaint was unfounded.
- ii. If applicable, call back complaint and provide information on results.

f. Report

- i. If complaint is founded, then BLLC Inspector is to draft a report detailing the investigation and facts found by the inspector and provide a copy of the report to the bartender/owner via email or physical copy.
 1. If complaint is NOT viable then immediately send email to Inspectors, and close out in CSR system via email.
 2. Inspectors shall utilize 311 Report System in BLLC Database to record 311 violations if a violation is found upon investigation.
 3. In either circumstance the inspector shall draft the report of the observed activity by the next working day and enter it into the inspector database system (Sharepoint) for review.

ii. Chief Inspector Quality Control Review

1. Please note that on a monthly basis the Chief Inspector or his or her designee may conduct quality control analysis of inspectors' reports within this SOP to ensure that inspections are being performed in accordance with the SOPs.

4) 311 System Close Out Timelines

a. Email Results

- i. Email results of preliminary inspection findings to CSR system confirming results of 311 Investigation within 24 - 48 hours of the call.

b. Carryover to Next Shift

- i. If a 311 CSR complaint is transmitted when no inspector is scheduled to work the Chief Inspector shall assign the complaint to be investigated by an inspector within 72 hours of receiving the complaint.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.03	Pages: 2
Title: Routine Inspection Protocol		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to Inspector staff concerning routine alcoholic beverage inspections conducted within the City of Baltimore.

Responsible Staff: All Inspector personnel, including full-time and part-time inspector staff.

Staff Monitor: Staff will be monitored in the inspection process by Administrative Staff via review of inspection report documentation, which included submittal of data spreadsheets, routine inspection visit daily summary, and part-time inspection paper work sheet.

Procedure: All inspectors will be required to:

1) Routine Inspections: Definition

- a. Routine Inspections are inspections of licensed liquor establishments to determine if they are open and operating in full compliance with Article 2B and the BLLC Rules and Regulations.
- b. **Chief Inspector Quality Control Review** - Please note that on a monthly basis the Chief Inspector or his or her designee may conduct quality control analysis of inspectors' reports contained in this SOP to ensure that inspections are being performed in accordance with the SOPs.

2) Routine Inspection Checklist

- a. The following items shall be inspected of licensed liquor establishments when conducting a routine inspection:
 - i. Note the date and time of the inspection
 - ii. Check the Liquor License for Validation of Correct Renewal Year and Authenticity
 - iii. Check the license for live entertainment, outdoor table service, and any other ancillary privileges granted to ensure licensee is operating in an authorized manner.
 - iv. **BD7 Exception** – Only for BD7s that have separate package goods and bar/lounge area
 - 1. Verify package goods area is open and operating
 - 2. Verify bar/lounge area is open and operating
 - v. Check the Trader's License for Validation of Correct Year and Authenticity
 - vi. If applicable, check the Baltimore City Fire Department Permit for compliance with capacity restrictions
 - vii. Check the for the validity of the Alcohol Awareness Certification
 - 1. Majority of Cases – may be licensee

2. If not licensee, ask who the certified person is and their role.
- viii. **Employee Records**
 1. Must check to ensure all are valid and up to date for every employee
 - a. Make sure that employees working at time of inspection are included in current employee records and OF LEGAL AGE – 18 or older
- ix. **Business Records – Applicable to Invoices on Alcohol Purchases**
 1. Must check to make sure that stock is purchased through a license distributor
 2. Ask licensee for most recent invoices (1-2 month)
 - a. Note the most important last purchases made
 - b. Look for high profile items – See if these match with most recent (Ex. If licensee does not have a invoices for Beer but has new stock on shelves)
 - c. Do not have to check all stock, but take look at random sample is sufficient.
 - d. Look for price tags (if in a bar tavern – may have not purchased from a distributor – check pricing scheme)
 3. If there are questions about the purchases, check with the distributor to check whether or not purchases have been made.
- x. **Checking the bar area for any health or liquor board violations**
 1. Bar area must be clean and free from debris
 2. Stock must not be on floor
- xi. **Checking the bathroom area**
 1. Bathroom must be clean
 2. Toilet must be operating
 3. Bathroom must have hot water
 4. Bathroom must have soap and paper towels
- xii. **If Applicable – Checking the Kitchen Area**
 1. Must be clean, free of debris and trash, and operational

3) **Additional Checklist if Establishment provides Adult Entertainment**

- a. **Employee Records Check**
 - i. ADULT ENTERTAINMENT EXCPETION - Ensure that all staff, including dancers, are 18 or older
- b. **Inspectors must obtain the following information from AE Personnel**
 - i. The name of the individual who has operational control of the establishment at the time of the inspection.
- c. **Dressing Room Requirement**
 - i. Inspectors shall inspect the dressing rooms to ensure that dancers have private spaces to change and that no illegal activity is occurring at the time of inspection
- d. **Private Room Inspection**
 - i. Inspectors shall ensure that all separate rooms, enclosures, or screened area with patrons can be viewed by members of the public at all times
- e. **Sexual Contact**
 - i. If inspectors observe any conspicuous illegal sexual activity between patrons, patrons and employees of the licensee, and/or patrons and agents of the licensee then those matters should be documented and filed in their report.

4) **Photo Requirements**

- a. Photos should be taken and attached to all routine inspection of the following areas

- i. Interior pictures and Exterior pictures
- ii. Pictures of all violations, when possible.

5) Receipt for Inspection Report

- a. A copy of a report may be emailed to the licensee upon request.

6) Closed Establishment

- a. If an establishment is CLOSED then the inspector should attempt to determine if the closure is temporary or permanent. An investigation may have to be conducted to make this determination. If closed permanently follow procedure in SOP 3.08.

7) Reporting Requirement

- a. In either circumstance the inspector shall draft the report of the observed activity by the next working day and enter it into the inspector database system (Sharepoint) for review.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.04	Pages: 2
Title: Compliance Inspection Protocol		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to Inspector staff concerning compliance inspections of alcoholic beverage/adult entertainment establishments conducted within the City of Baltimore.

Responsible Staff: All Inspector Personnel, including full-time and part-time inspector staff

Staff Monitor: Staff will be monitored in the inspection process by the Chief Inspector.

Procedure:

A) Compliance Checks: Definition

- a. Compliance checks differ from Routine Inspections. The purpose of a compliance check is to determine whether an establishment is open and operating and there are no significant peripheral violations. Compliance checks are intended to be performed in an efficient and timely manner.

ii. Chief Inspector Quality Control Review

- 1. Please note that on a monthly basis the Chief Inspector or his or her designee may conduct quality control analysis of inspectors' reports within this SOP to ensure that inspections are being performed in accordance with the SOPs.

B) Compliance Checklist Items

a. Compliance Form

- i. Inspectors shall utilize the BLLC database system to enter findings from their compliance checks
- ii. Note the date and time of the inspection

b. Inspectors shall check the following items during a Compliance Check of an Alcoholic Beverages Establishment:

- i. Establishment is open and operating
 - 1. Inspectors shall take a photo and attach to report to show proof of operation
- ii. Valid Current Liquor License posted in conspicuous area
- iii. Valid Current Trader's License posted in conspicuous area
- iv. **BD7 Exception** – Only for BD7s that have separate package goods and bar/lounge area

1. Verify package goods area is open and operating
 2. Verify bar/lounge area is open and operating
- c. In addition, inspectors shall check the following items during a Compliance Check of an Adult Entertainment (AE) establishment:**
- i. All current dancers are either 18 years or older
 1. Employee records check only applies to AE establishments that provide dancers

Observations Recorded that lead to Routine Inspections

- d. If Inspectors observe any of the following then it is within their discretion to conduct a full Routine Inspection:
 - i. Food that is displayed for public consumption by the establishment – if the establishment does not have a permit to sell food
 - ii. BD7 – Either the Package Goods or Bar/Lounge Area is closed during inspection
 - iii. Establishment is offering Live Entertainment or outdoor table service w/o being authorized to do so
 - iv. Conspicuous major structural issues are observed by inspectors
 1. Ex – Ceiling falling in
 - v. Minors Serving alcohol or being served
 - vi. Etc.

C) Compliance Inspections Routine Inspections or Violation Reports

- a. If an inspector believes a Routine Inspection should be conducted, based on the findings in his or her compliance check, then the inspector shall follow the policy and procedures for conducting a routine inspection and document his or her findings accordingly.

D) Reporting Requirement

- a. In either circumstance the inspector shall draft the report of the observed activity by the next working day and enter it into the inspector database system (Sharepoint) for review.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
<u>Section 3: Inspections and Violation Processes</u>	<u>Number: 3.05</u>	Pages: 3
Title: Violation Review and Charging Process		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to the Chief Inspector, Assistant Chief Inspector and Deputy Executive Secretary on the review of law enforcement/BLLC inspection reports, charging determinations, and the charging process.

Responsible Staff: Chief Inspector, Assistant Chief Inspector, Deputy Executive Secretary and other staff as deemed related to this process.

Staff Monitor: Staff will be monitored by the Executive Secretary.

Procedure:

(A) Review of Law Enforcement Reports

- (1) After receiving an incident report from a law enforcement agency, the management staff (Chief Inspector/Assistant Chief Inspector) will review the report to determine if based on the facts contained in the report there is a prima facie violation.
- (2) If there is a prima facie violation based on this review, he or she shall request any and all evidence (photos, supplemental reports, drug analysis, etc.) from the corresponding law enforcement agency. A law enforcement report tracking data base will be maintained of all requests for evidence from the law enforcement agency and what was the outcome of each request.
- (3) Upon a determination being made by inspections that a prima facie violation has occurred, a copy will be provided to the Deputy Executive Secretary for charging.
- (4) Any and all evidence received by inspections associated with any incident report shall be logged and immediately submitted to the Deputy Executive Secretary.

(B) Review of BLLC Investigative Reports

- (1) After receiving an incident report from a BLLC inspector, the Chief Inspector/Assistant Chief Inspector will review the report to determine if based on the facts contained in the report there is a prima facie violation
- (2) If there is a prima facie violation based on a review by the Chief Inspector, he or she shall request any and all evidence from the BLLC inspector. If the Chief Inspector/Assistant Chief Inspector believes that there is a prima facie violation stated in the BLLC inspector's report, but more supplemental evidence needs to be gathered or the report is incomplete the Chief inspector will provide guidance to the BLLC inspector in order to gather the necessary evidence – photos/supplemental reports – and complete the report for submission.

- (3) Upon a determination being made by the Chief Inspector that a prima facie violation occurred, the Chief Inspector/Assistant Chief Inspector shall inform the Deputy Executive Secretary and provide him/her with a copy of the report.
- (4) Any and all evidence received by the Chief Inspector associated with BLLC investigation report shall be immediately submitted to the Deputy Executive Secretary.

(C) Questionable Reports

- (1) If the Chief Inspector/Assistant Chief Inspector is unsure of whether or not a prima facie violation has occurred based on either a law enforcement report or BLLC investigative report, he or she shall defer to the Deputy Executive Secretary to make that determination.
- (2) If no action is taken, the Deputy Executive Secretary and/or designee will make sure the issue is noted in the file and draft correspondence to the licensee as warning about the incident if necessary.

(D) Preponderance of Evidence Test

- (1) Upon receipt of the law enforcement or BLLC Investigative report, the Deputy Executive Secretary shall review the report and all supplemental evidence to determine if he or she believes that there is sufficient evidence articulated by the officer/inspector to prove the charges by a preponderance of evidence – i.e. it is more likely than not that a violation occurred – before the Board of Liquor License Commissioners of Baltimore City.
- (2) In reviewing the evidence, the Deputy Executive Secretary – using his or her discretion – may contact the reporting officer or inspector to and ask any questions concerning matters within the report that require further inquiry.
- (3) If after review of the entire case file – report and associated evidence – the Deputy Executive Secretary decides that a preponderance of evidence exists to charge a licensee with a violation he or she shall charge the licensee and log the results in the Report Tracking database.
- (4) If after review of the entire case file – report and associated evidence – the Deputy Executive Secretary decides that a preponderance of evidence does not exist to charge a licensee with a violation he or she shall log the result in the Report Tracking database and place a copy of the report in the in licensee’s permanent file.
- (5) Correspondence to the licensee may be issued in cases where the preponderance of the evidence is not clear.

(E) Charging Process Format for Alleged Violations

- (1) Upon the determination that the licensee will be charged with a violation, the Deputy Executive Secretary shall draft a charging document detailing the charge that the licensee faces and a brief description of the facts supporting the charge.
 - a) The charging document shall include the following:
 - b) The Corporate/Trade Name of the licensee
 - c) The address of the licensee’s business location
 - d) The date the violation was charged by the Deputy Executive Secretary
 - e) The date when the matter is scheduled to be heard before the Board
 - f) The location of the incident
 - g) The specific law or BLLC rule or regulation that was violated
 - h) The date of the incident
 - i) The approximate time of the incident

- j) A general summary of the facts supporting the charge
- (2) Upon charging the case against the licensee, the Deputy Executive Secretary shall draft a notice to be served on the licensee or his employee or agent for the purposes of service.
- (3) The notice will then be issued by designated office personnel and served on the licensee/bar manager/employee by BLLC staff.
- (4) Office personnel designated by the Deputy Executive Secretary will ensure that summonses are drafted and issued to the proper parties so that they will be present on the date of the hearing.
- (5) The Deputy Executive Secretary will organize, gather, mark, and prepare an evidence file – which will contain all of the reports, photos, and any other evidence – to be inserted in the case file for review by the Board at the time of hearing.
- (6) At any time before the hearing the licensee can request to view and make a copy of the evidence file before and/or after the hearing.

(F) Summons Requests and Issuance – Applicable to ALL public hearings

(1) Authority - Art. 2B §16-410(b)

- a) The Board has the authority to issue summonses for all hearings and inquiries which the Board is authorized to hold and make, the Board may issue summonses for witnesses, and administer to them Oaths and affirmations.

(2) Request

- a) Any party requesting to have the Board summons a witness for a hearing shall make a written request (email or physical letter) of the Board at least fifteen (15) days before a scheduled public hearing.
- b) In the request, the party shall provide the name and address of the individual to be summonsed. In addition, the party shall provide justification - i.e. what relevant information or documentation will the witness be able to provide concerning an issue to be raised at the public hearing – for the request.
- c) The requests should be sent to the Deputy Executive Secretary or his/her designee

(3) Issuance

- a) Chair has the Authority
 - All requests for witnesses to be summonsed shall be sent to the Chair by the Deputy Executive Secretary or his/her designee after review to determine if request requirements are met.
 - Upon review of the request, the Chair will determine if the summonses shall be issued.
 - The Chair can communicate his/her decision through written or verbal confirmation to a designee within the BLLC office.

(4) Service - Art. 2B §16-410(b)(2)3

a) BLLC Inspectors

- As per Article 2B BLLC inspectors have the authority to serve summonses authorized by the Board

b) Delivery attempts – 10 day rule

- At least ten days before the hearing, the BLLC shall make an attempt to serve the individuals who have been issued summonses by the Board.

- If the BLLC inspector is not able to serve the individual on the first attempt then he/she shall document the attempt and continue to attempt service on the witness at least one (1) time per business day until the witness is served or the Inspector's efforts have been exhausted. All attempts shall be documented by the Inspector.

c) Service on the Individual

- Before service is made on the individual, the inspector shall ask for the individual's State Identification and verify that the individual is the person to be served with the summons
- The inspector shall then serve the witness with a copy of the summons and have the witness sign the summons stating that it was accepted by the witness. The inspector shall also sign the summons indicating delivery.
- Copies of the signed summonses will be turned in by the Inspector to the Chief/Assistant Chief who will then provide it to the Office Assistant will then place the signed summons in the case file.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.06	Pages: 2
Title: Compilation, Preparation, and Delivery of Documents for BLLC cases on Judicial Review		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to BLLC Staff, including the Appellate Counsel, as to assignments concerning the preparation, creation, and delivery of documents to the Appellate Counsel for Board cases that have been appealed to the Circuit Court for Judicial Review.

Responsible Staff: Appellate Counsel, Executive Secretary, and/or Deputy Executive Secretary and/or designated BLLC staff

Staff Monitor: Staff will be monitored by the Executive Secretary and/or Deputy Executive Secretary.

Procedure:

(A) Request for Judicial Review filed and BLLC Served

- a. Upon the filing of a judicial review by the licensee or any other party of a Board decision, the agency will be served by the licensee or his/her representative the following
 - i. Certificate of Service
 - ii. Copy of the Appeal
 - iii. \$100 filing fee
- b. **Transcript ordered by licensee**
 - i. Upon receiving the Certificate of Service, Copy of the Appeal, and filing fee a request for the transcript is made to the recording agency to transcribe and deliver a copy of the transcript to the BLLC's office.
- c. **Contacting the Appellate Counsel**
 - i. Upon being served with the Copy of the Appeal, the agency must notify the Appellate Counsel that an appeal has been filed and provide a copy to the Appellate Counsel if one has not yet been served on the Counsel.

(B) Preparation and Compilation of Documents

- a. **Transmittal Sheet to be Drafted**
 - i. Upon receiving the transcript the designated BLLC staff person will create a Transmittal Sheet (**Attachment A**) which will include the following:
 1. Name of the Licensee
 2. Date of the Original Board Decision
 3. Case Number – This can be found on the Copy of the Appeal
 4. "Petition for Judicial Review" Section which details that the full transcript of the case is included

b. Documentation Preparation for Appellate Counsel

- i. Once the transcript is received, the designee of the agency will compile the following documents in preparation to file the record with the Circuit Court
 1. A Copy of the Long Docket for the hearing day of the matter appealed
 2. A copy of the application, request, and /or statement of charges that is subject of the request for judicial review
 3. Any and all supplementary documentation in case file in support/against the application, request, and/or statement of charges
 - a. Ex – Community Letters of Support/Opposition, Financial Documentation, Architectural Drawings or Blueprints, etc.
 4. All Marked Exhibits
 5. Copy of Board’s Decision
 6. Full Transcript of hearing that is subject of judicial review

(C) Compilation of Documents

a. Transmittal Sheet

- i. The designee should affix the transmittal sheet on the top of the prepared documents for Appellate Counsel.

b. Follow-up with Appellate Counsel

- i. The designee should then contact the Appellate Counsel to determine if any other documents need to be included in the compiled documents package

c. Filing

- i. If no other documents are to be compiled the designee should make copies of the documents for the following parties:
 1. Appellate Counsel
 2. Licensee/Attorney(s) or Representative(s) for the licensee or any other party
 3. BLLC office
- ii. **File with Clerk of the Court Civil Division**
 1. Upon making the copies, the designee shall time stamp all copies with the Circuit Court of Baltimore City and file one (1) copy with the Clerk of the Court
 2. The remaining copies shall be mailed or personally delivered to both:
 - a. Appellate Counsel
 - b. Licensee/Attorney(s) or Representative(s) for the licensee
 3. The BLLC should retain a copy for its files in a separate appellate folder created for the specific case on judicial review

(D) Creation of Documents

a. Appellate Counsel Responsibility

- i. Appellate Counsel is responsible for the drafting of and creation of all original documents to be used in support of litigation in cases involving Board decisions that have been appealed to the Circuit Court for judicial review.

b. Appellate Counsel NOT responsible for creation of:

i. Transmittal Sheet

- a. The BLLC will create the transmittal sheet in preparation for the filing of the record with the Circuit Court

ii. Original Record

1. The Appellate Counsel is not responsible for creating any of the following documents in preparation for an appeal to the Circuit Court for judicial review:

- a. A Copy of the Long Docket for the hearing day of the matter appealed
- b. A copy of the application, request, and /or statement of charges that is subject of the request for judicial review
- c. Any and all supplementary documentation in case file in support/against the application, request, and/or statement of charges
 - i. Ex – Community Letters of Support/Opposition, Financial Documentation, Architectural Drawings or Blueprints, etc.
- d. All Marked Exhibits
- e. Copy of Board’s Decision
- f. Full Transcript of hearing that is subject of judicial review

ATTACHMENT A

TRANSMITTAL SHEET

IN THE CIRCUIT COURT FOR BALTIMORE CITY *

FIREBALL ENTERTAINMENT, INC. *
T/A BIG EASY *
2000 EASTERN AVENUE
BALTIMORE, MARYLAND 21231

PETITIONERS: *

FOR JUDICIAL REVIEW OF THE BOARD'S DECISION OF
January 7, 2016

FROM:
THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY *

IN THE CASE OF:

Case Number - 24-C-00-000000 *
FIREBALL ENTERTAINMENT, INC.
T/A BIG EASY
2000 EASTERN AVENUE
BALTIMORE, MARYLAND 21231 *

HEARING DATE: *
January 7, 2016

* * * * *
PETITION FOR JUDICIAL REVIEW

Received this 25th day of April 2016, a full transcript in the case concerning the Class AE Adult
Entertainment license in the name of Fireball Entertainment, Inc. T/A Big Easy 2000 Eastern Avenue
BALTIMORE, MARYLAND 21231.

Acting Executive Secretary
Douglas K. Paige

Clerk of the Circuit Court, Room 462
111 N. Calvert Street
Baltimore, Maryland 21202

Cc: [Appellate Counsel], Esquire
[Licensee's Attorney or Representative], Esquire

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.07	Pages: 3
Title: Trader's License/Corporate Standing Violations		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to BLLC Staff checking the status of Trader's Licenses, Personal Property Tax and Corporate Standing.

Responsible Staff: Administrative Staff and Assistant Executive Secretary, Deputy Executive Secretary and designated BLLC staff.

Staff Monitor: Staff will be monitored by the Executive Secretary and/or Deputy Executive Secretary.

Procedure:

(a) Trader's License Process

(1) At least once a year, BLLC Staff will conduct a review of each licensee's trader's license standing to ensure it is current and active. This check will occur after the annual renewal period and after the end of the City fiscal year (June 30). Administrative staff will conduct checks from July 1 – August 15th. If a licensee's status is found to be inactive, the licensee will receive a warning letter from the BLLC to correct his/her trader's license status within 30 days. *(The website to look up Trader's licenses is <https://jportal.mdcourts.gov/license/pbIndex.js>)*

(2) BLLC staff will verify, if the licensees have corrected the matter and come into compliance before issuing a final list for action by the Deputy Executive Secretary. If BLLC staff confirms that the licensee's trader's license status is in compliance it will be noted in the file. If the status is not in compliance, a list will be developed for a violation docket for early fall of each year. A hold will be placed on the license to note that they are not in compliance for renewal.

(b) Personal Property Tax

(1) As per Art. 2B §10-301(j)(1) licensees must be current in their personal property tax status by June 30th of every year. As such, within the first week of August of every year, assigned BLLC staff will work with the Law Department and Department of Finance to verify which licensees owe outstanding personal property taxes for the prior tax year.

(2) Upon receiving confirmation from the Law Department and Department of Finance of licensees that owe outstanding personal property tax payments, BLLC staff will send a letter to each applicable licensee informing them of their status.

(3) If after 15 days from the date the letter was sent by BLLC staff the licensee's status is not in compliance, a list of licensee not in compliance will be compiled for action by Deputy Executive Secretary. A hold may also be placed on the license if it is not in compliance.

(c) Corporate Standing (SDAT Status)

(1) At least once a year, BLLC Staff will conduct a review of each corporate standing in SDAT to ensure it is current and active. This check will occur after the annual renewal period and after the end of the City fiscal year (June 30). Administrative staff will conduct checks from July 1 – August 30th. If a licensee’s status is found to be inactive, the licensee will receive a warning letter from the BLLC to correct his/her corporate status within 10 days. (*The website to look up Corporate Standing SDAT is <http://sdatcert3.resiusa.org/ucc-charter/>*)

(2) BLLC staff will verify, if the licensees have corrected the matter and come into compliance before issuing a final list for action by the Deputy Executive Secretary. If BLLC staff confirms that the licensee’s trader’s license status is in compliance it will be noted in the file. If the status is not in compliance, a list will be developed for a violation docket for fall of each year.

(d) Processing of Violations

(1) The Deputy Executive Secretary will develop a single expedited docket item that would provide a list of licensee violations as one group item. The licensees will be notified by hearing notice and letter of the violation and date of hearing.

(2) Upon charging licensees with these types of violations, the licensees can choose either to admit to or contest the charges.

(3) If licensees wish to admit to violation in writing they can waive their appearance by paying the administrative fee as set by the agency. The Board will note as a tacit admission to the violation charged.

(3) Of note, if any party present at the hearing objects to the violation being placed on the expedited docket, it shall come off the expedited docket and be placed on the regular docket.

(4) The licensee can always choose to contest the charges at any time before the Board renders a decision on the case.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.08	Pages: 3
Title: Non-Operating Locations		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to Inspection personnel on the documentation and follow up on establishments that are found not operating.

Responsible Staff: Inspectors, Assistant Chief Inspector and Chief Inspector.

Staff Monitor: Staff will be monitored by the Chief Inspector.

Procedure:

1. **Process:** When it is reported that a location is not operating and/or an inspector finds that a location is not in active operation the following steps should be taken:
 - a. Inspectors should note on the inspection report signs of non-operation and date/time of inspection.
 - b. If email (311) or citizen notification –sends an inspector out to verify to perform inspection.
 - c. Follow up on Letter: If found closed, Chief Inspector should send a letter to licensee at home or other location noted. Do not send mail to the licensed address. (See Attachment A)
 - i. Note in the license database that letter was sent due to establishment not found operating on date/time
 - ii. Licensee may set up an appointment for a follow-up inspection
 - iii. If no response, schedule another check to see if operations have resumed.
 - iv. If no further operations noted in file and on database that license is not operational for renewals.
 - v. Have administrative staff add a HOLD to the database for renewal so that licensee can verify operations.
 - d. Notations: When an establishment is found in non-operating status inspectors should bring this to the attention of the Chief Inspector and/or Assistant Chief inspector.

Any questions regarding this policy can be addressed by the Executive Secretary.

ALBERT J. MATRICCIANI, JR.
CHAIRMAN

COMMISSIONERS
AARON J. GREENFIELD, ESQ.
DANA P. MOORE, ESQ.

ALTERNATE COMMISSIONER
HARVEY E. JONES



DOUGLAS K. PAIGE
ACTING EXECUTIVE SECRETARY

THOMAS R. AKRAS, ESQ.
DEPUTY EXECUTIVE SECRETARY

STACI L. RUSSELL
ACTING ASSISTANT EXECUTIVE
SECRETARY

STATE OF MARYLAND
BOARD OF LIQUOR LICENSE COMMISSIONERS
FOR BALTIMORE CITY
231 E. BALTIMORE STREET, 6TH FLOOR
BALTIMORE, MARYLAND, 21202-3258
PHONE: (410) 396-4377

Attachment A

Date

Licensee

Home Address

Dear Licensees,

Re: Operating Status – Location – Class Type

This letter is to follow up on a recent inspection visit on (Date) that has been attempted at your location and your business was found closed and under construction.

Routine inspections of your premises are needed to verify operations and compliance with State and Local laws. If you have ceased operations, you will need to send a letter to the board requesting a hardship extension. You will also need to notify the board of any alterations that are being made to the premises.

If we do not hear from you within 15 business days, we will take further action. If you have any questions please contact Chief Inspector Mark Fosler at (410)396-4377.

Thank you in advance for your cooperation in this matter.

Sincerely,

(Name of Chief Inspector)

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.09	Pages: 3
Title: Posting and Maps		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary	<u>Thomas R. Akras</u> Deputy Executive Secretary	

Purpose: To provide guidance and direction to Inspection personnel posting and maps. This process is also outlined in the SOP 2.01 New/Transfers Policy.

Responsible Staff: Inspectors, Assistant Chief Inspector and Chief Inspector.

Staff Monitor: Staff will be monitored by the Chief Inspector.

Procedure:

General Information on Posting: The list of proposed transfer/issuance/expansion/new applications is advertised in three newspapers, posted on the Liquor Board's web page, and sent to representatives of many community groups, elected officials and governmental agencies.

At the end of the ten day posting period, a public hearing may take place. If the business is open and operating and the only issue to be considered by the Board is the fitness of the applicant(s).

Inspection Process: Below are some items that staff should keep in mind regarding the posting process.

1. Inspectors will post the each property with signs that are prepared by administrative staff.
2. The inspectors must post the sign in a conspicuous place from inside and outside of the premises.
3. Inspectors will also complete board reports that include photos of the posting that note the time/date of the initial posting.
4. Inspectors will also prepare the maps to ensure that a location is not within the prohibited distance of a school and/or church. Inspectors will also note the other licensed establishments within 2-3 block radius.
 - a) Google Map Account has been set up and is shared file that should be used to create maps.
 - b) A copy of the map should be included as part of the new/transfer file.
 - c) The Map shall include and identify (by name and class of license) all of the licensed establishments within a 4x4 radius of the proposed location identified in the application.
 - d) Attached to the Map shall be a Recapitulation Report which enumerates all of the licensed

locations in the 4x4 area.

5. Inspectors will notify administrative staff if the proposed location does not meet requirements and/or if there are any issues with the subject location.
6. Inspectors and /or the licensee may remove the signage after it has been posted for more than (10) ten days. The Chief Inspector and/or designee may ask inspectors to check on the posting if it is noted that there are issues with the sign and/or that it has been removed.
7. The Chief Inspector and/or designee will assure that the completed reports are part of the file for proper posting by administrative staff. This includes making sure that the forms are completed and that maps have been complete.
8. When submitting the posting report to administrative staff to include in the application packet, the posting report should include:
 - a) A Map
 - b) A Recapitulation Report
 - c) The Transfer/New Report
 - d) The Posting Report
9. Hearing Items are posted 14 days before the docketed date so posting report and maps should be completed in a timely manner.

Any questions regarding this policy can be addressed by the Chief Inspector or the Executive Secretary.

Baltimore City Board of Liquor License Commissioners		
STANDARDIZED OPERATING PROCEDURE		
Section 3: Inspections and Violation Processes	Number: 3.10	Pages: 3
Title: Inspection Expectations and Tracking		
Effective Date:	Revision Date: 7/5/2016	
Approval: Albert J. Matricciani, Jr., Dana P. Moore, Aaron J. Greenfield, Harvey Jones		
<u>Douglas K. Paige</u> Acting Executive Secretary		<u>Thomas R. Akras</u> Deputy Executive Secretary

Purpose: To provide guidance and direction to inspection personnel on developing performance expectation and setting goals for performance. This policy has tools for tracking and monitoring work.

Responsible Staff: Inspectors, Assistant Chief Inspector and Chief Inspector.

Staff Monitor: Staff will be monitored by the Chief Inspector, Assistant Chief Inspector and Inspector III – Deputy Executive Secretary/ Executive Secretary.

Procedure: The duties and responsibilities of inspectors may vary due to agency needs including but not limited to:

- Inspector Experience
 - Agency Operational Needs
 - Inspections: Routine and Compliance
 - 311 Calls /Complaints
 - Investigations, Delivery of Summonses and Materials, Posting and Transfers

Review of Districts: Supervisory staff will determine the districts and provide this information to the management and the board. Supervisors will review the needs and efficiency of operations along with the assignment of personnel to make sure that districts are rotated when deemed necessary by management.

Work Tracking: Inspection supervisors will determine the work activities of Inspector I/II. The use of work planning sheets is encouraged. Supervisor may also use emails, inspection documentation and logs to track the work and performance of staff. Inspector work will include routine and compliance inspection but may not be limited to these activities.

Supervisors are encouraged to document and track the other activities noted above and employees should complete the reporting materials associated with the following activities:

- 311 Call
- Complaints
- Investigations reports and/or logs
- Delivery Reports
- Posting and Transfer reports.

Suggested Forms: Attachment A to this policy is Performance Tracking Sheet that can be used by Inspection supervision staff on a monthly/quarterly basis

ATTACHMENT A

Name: _____

Performance Period: _____

Position: _____

Performance Expectations - Worksheet

Monthly Activities and Target Information

Work Products and Actions	Target	Unacceptable	Outstanding
Inspections (includes routines and compliance – X per week – 4 week month example)	X	Y	Z
Posting Transfer/ New (varies)		N/A	N/A
311 Reports	X	Y	Z
Investigations	Varies	Varies	Varies
Other Activities Report – Ex.	Varies	Varies	Varies
Totals			

Total number of Licensees in Assigned Area:

Details:

- The overall inspection goal is X inspections per day with an overall goal of X inspections per week. A monthly sequence report will be provided and checked on weekly by the Chief Inspector. If the inspector is on approved leave the numbers will be adjusted and noted accordingly.
- There is an expectation of the completion of assigned posting reports and new/transfer reports as part of normal duties and these reports can be noted and maintained the inspection overall work log.
- There is an expectation of the completion of 311 Reports for calls based on district and shift and for entry into the Motorola system with visit information
- Designated hours for investigations and the results of investigations that notes the date, length and time frame. Reports will be filed to note work product.
- The completion of all other required reports and paperwork as requested by supervisory staff.
- Other activities include the following items and can be noted in the work log and assigned by management (these can be included as work items for your target).
 - Testifying in hearings
 - Office work
 - Deliveries
 - Follow-up Inspections
- Consistent underperformance in reaching target inspection numbers will lead to the development of an improvement work plan by the Chief Inspector to meet targets. Continued underperformance will lead to future disciplinary action.
- Consistent over achievement – meeting the outstanding numbers consistently within a fiscal year – will factor into agency decisions concerning increased salaries and promotion.