

## Advisory Rules Committee Meeting Notes

**Meeting Date and Time:** September 22, 2015 – 10:00 AM – 12: 00 PM

**Meeting Location:** BLLC Offices – 231 E. Baltimore Street, Suite 600

### Meeting Attendance Record:

#### Advisory committee members and staff present:

- *Stanley Fine, Attorney, Chair, Rosenberg, Martin, and Greenberg, LLP*
- *Minda Goldberg, Attorney, Office of the City Solicitor of Baltimore City*
- *Abraham Hurdle, Attorney, Law Offices of Abraham Hurdle*
- *Tom Yeager, Downtown Partnership*
- *Richard Parker, President, Citizens of Pigtown*
- *Peter Kimos, owner, Peter's Pourhouse*
- *Michelle Wirzberger, Midtown Community benefits District*
- *Victoria Schassler, licensee*
- *Steve Johnson, Mount Vernon Belvedere Association*
- *Thomas R. Akras, Deputy Executive Secretary, BLLC*
- *Michelle Bailey-Hedgepeth, Executive Secretary, BLLC*

#### Members of the public present:

- *Rebecca Witt, Community Law Center*

#### Excused committee members (not present):

- *Theo Harris, Greektown CDC*
- *John Pica, Attorney, Royston, Mueller, McLean & Reid, LLP*
- *Melvin J. Kodenski Attorney, Law Offices of Melvin J. Kodenski*

### 1. Preliminary Matters

- a. As per the direction of the Chair the meeting to be held on September 29, 2015 will include a review of Chapters 2 and 3 for submission to DLS for stylistic review. Upon completion of the review of the Alcoholic Beverages Rules and Regulations, the Committee will begin its review of the Adult Entertainment Rules and Regulations.

### 2. Start of Review from Chapter 3

#### a. Rule 3.04 – Keg Registration

- i. Stanley Fine identified so typographical errors in Section(a)(1)-(6). The Committee agreed that those errors should be corrected.
- ii. Minda Goldberg suggested that Section (a)(7) and (a)(8) be changed to Section (b) and Section (c). The Committee agreed that those errors should be corrected.

#### b. Rule 3.05 – Alcohol Awareness

- i. The Committee had no problem with the language in this Section.

#### c. Rule 3.06 – Signs and Hours of Operation

- i. After much discussion, the Committee agreed to eliminate Section (a) of this rule as it was deemed antiquated and unhelpful.
- ii. Stanley Fine suggested that Section (a) – formerly Section (b) – be clarified just to state that all signage conform to the “Zoning laws of Baltimore City.” BLLC staff made the appropriate changes.
- iii. The Committee discussed Section (b) and changed the language to allow only “authorized public officials” to request to see the official copy of the license on the licensed premises.
- iv. In Section (c), the Committee also agreed that licensees be given 30 days to inform the Board of the new hours of operation of their establishments.

#### d. Rule 3.07 – Lighting

- i. The Board discussed Rule 3.07 and found it to be antiquated. It was decided that BLLC staff would rewrite a draft of the rule to address exterior and interior lighting.
- e. Rule 3.08 Sanitation and Safety**
  - i. The Committee discussed the lack of clarity and confusion as to which sanitary regulations licensees in Section (a) were to follow. It was agreed that global language was to be added to cover all applicable laws.
  - ii. The Committee decided to eliminate the words “of the Bureau of Sanitation” from Section (b).
  - iii. Section (c) was revised to make it less awkward as per the guidance of the Committee.
- f. Rule 3.09 – Restroom Facilities and Health Regulations**
  - i. Stanley Fine had concerns with the language in Section (b) as it wasn’t consistent with other rules concerning State and local laws. It was corrected.
  - ii. The Committee edited Section (c) to simplify the text.
- g. Rule 3.10 – Communications**
  - i. The Committee wanted to ensure that both email addresses and fax numbers were not requirements of licensees to have, so the language was adjusted to reflect this change as some licensees do not have either.
  - ii. Section (b) was added requiring the licensee to provide the Board with updated information whenever there is a change to such information.
- h. Rule 3.11 – Delivery of Alcoholic Beverages**
  - i. There were typographical errors identified by the committee throughout this rule. BLLC staff was instructed to correct them. Sections (a)(ii)(ii) were eliminated after discussion.
  - ii. Section (a)(iv) was reworded to provide clarity. All instances of the word “BLLC” have been replaced with the word “Board.”
  - iii. BLLC staff reviewed Baltimore County’s delivery rules to provide guidance in the drafting of the on-line delivery service section of these rules. In addition, BLLC staff added some restrictions that were in Baltimore County’s rules to this Section.
- i. Rule 4.01 – Minors**
  - i. After much discussion, the Committee decided that any language pertaining to the rule dealing with Minors should be verbatim from Art. 2B §12-108, which is the statute outlining the restriction. BLLC staff was instructed to insert the proper language.
  - ii. Section (b) was renamed “Employment of a Minor.”
- j. Rule 4.02 – Inebriates and Drug Addicts**
  - i. The Committee had no problem with the language in this Section. BLLC Staff changed the ordering of the Sections.
- k. Rule 4.03 – Solicitation**
  - i. The Committee discussed how the solicitation rule affects on-line sales and delivery of alcoholic beverages by retail licensees. BLLC staff was tasked with drafting a section related to online sales. However, upon review, BLLC staff placed this item in the Delivery section of the Rules as it seemed most appropriate.
- l. Rule 4.04 Free Food and prizes**
  - i. As per a direct quote from the law, Stanley Fine advised that the word “Hors d’oeuvres” should be in the rule.
- m. Rule 4.05 Prohibited Hours**
  - i. The Committee had no problem with the language in this Section.
- n. Rule 4.06 - Alcoholic Beverage Containers**
  - i. After some discussion the Board eliminated some of the language from Section (b) of this rule so as not to create an unfair exception to other licensees.
- o. Public Comment** - There were no public comments made at this meeting.