

Rules and Regulations
for the
Board of Liquor License Commissioners
for
Baltimore City



Revised 2015

BOARD OF LIQUOR LICENCE LICENSE COMMISSIONERS
FOR BALTIMORE CITY

231 East Baltimore Street
6th floor
Baltimore, Maryland 21202

General Information.....	410-396-4377
Executive Secretary.....	410-396-3480
Deputy Executive Secretary.....	410-396-4385
Chief Inspector.....	410-396-4381
Inspectors.....	410-396-4384
Front Office.....	410-396-4378

TO ALL LICENSEES:

This book is published by the Board of Liquor License Commissioners for Baltimore City to acquaint all licensees, their employees, and the general public with the Rules and Regulations governing the retail sale of alcoholic beverages in Baltimore City.

All licensees and their employees are responsible to abide by these Rules.

Benjamin Neil, Esq.

Chairman

Douglas Trotter
Commissioner

Elizabeth Hafey, Esq.
Commissioner

Harvey Jones
Alternate Commissioner

Michelle Bailey-Hedgepeth
Executive Secretary

Thomas R. Akras
Deputy Executive Secretary

**Rules and
Regulations
of
The Board of Liquor License Commissioners for Baltimore City**

**Chapter 1
General Provisions, Definitions, and License Types**

NOTE: Legislative drafters always place a definition section first in the material in which the defined words are used, because it is the most convenient place for the reader. I suggest moving Rule 1.06 up here.

Rule 1.01 Authority

Pursuant to the authority granted by Article 2B of the Annotated Code of Maryland as amended (herein referred to as “Article 2B”), NOTE: Article 2B should be in the definitions section the Board of Liquor License Commissioners for Baltimore City, Maryland, hereby adopts the following Rules and Regulations to enable the Board to effectively discharge the duties imposed upon the Board by Article 2B. In ~~any~~ case of conflict between Article 2B and these Rules and Regulations, these Rules and Regulations are subordinate to Article 2B, as it may be amended from time to time. Article 2B prevails.

Rule 1.02 Organization

(a) The Board of Liquor License Commissioners (“the Board”)“(the Board)” is redundant of Rule 1.06(f) consists of three regular members and one alternate member, all of ~~which~~whom are appointed by the Governor of Maryland. The appointments shall be made with the advice and consent of the Maryland State Senate if it is in session, and if the Maryland State Senate is not in session, by the Governor alone.

(b) The alternate member may serve on the Board if any regular member of the Board is absent or recused. Each appointee shall be a resident and voter of Baltimore City and be an individual of high character, integrity, and ~~of~~ recognized business capacity. At least one appointee shall be admitted to practice before the Court of Appeals of Maryland.

(c) The term of a member of the Board shall be 2 years and commences on July 1 of the year of appointment.

Rule 1.03 Powers

(a) The Board may issue alcoholic beverage licenses authorized under Article 2B within the City ~~of Baltimore~~.

(b) The Board may suspend, ~~or~~ revoke a license, and/or [NOTE: Md Code Code style uses “or” rather than “and/or”] impose a fine on a licensee for ~~any~~ violation of Article 2B and/or these Rules and Regulations, , which in the judgment of the Board, is necessary to promote the peace or safety of the community in which the place of business is situated. ~~On the filing of an appeal~~ [Even though it appears in Art. 2B, “Appeal” is incorrect. Only a decision by a court is subject to appeal. A decision by an administrative agency, like the Board, is subject to judicial review. Make this provision read something like “When a petition for judicial review of an order of suspension is filed”], the Board may stay its order ~~of suspension~~ until ~~the final determination thereof~~ the Board makes a final determination. ~~If an appeal of the Board’s order to revoke a license is made,~~ When a petition for judicial review of an order to revoke a license is filed, the order may only be stayed by the court with which the appeal has been filed. For a first offense, ~~generally,~~ the Board may impose of fine of not more than \$500., unless that first offense is for selling alcoholic beverages to a person under the age of 21 years ~~of age,~~ in which case the Board may impose a fine of not more than \$1,000. For any subsequent offense, the Board may impose a fine of not more than \$3,000..

(c) The Board ~~has full power and authority to may~~ adopt ~~and promulgate~~ rules and regulations and review them at least once every 5 years to ensure compliance with current policies and practices of the Board and Federal, State, and local law.

(e) Upon consent by the licensee, the Board may set reasonable conditions and/or restrictions on the granting of a new license, ~~or the~~ transfer, and/or renewal of a license when ~~it~~ the Board finds it to be in the best interest of the public accommodation, and for their to ~~protection of~~ the peace and safety of the community.

Rule 1.05 Legal Representation

~~Any~~ party, applicant, witness, or individual who files a protest or complaint, may be represented by an attorney. ~~Where~~ If a notice is to be given under these Rules and Regulations to or by ~~anya party, applicant, witness, or individual person~~ who files a protest or complaint, the notice shall also be given ~~by or to or by~~ the person's attorney, so long as the attorney has entered his or her appearance in the matter to be considered by the Board.

Rule 1.06 Definitions—NOTES: (1) This Rule should appear first and designated as Rule 1.01. (2) Are you sure that each of these defined terms are actually used in the Rules and Regulations? If a defined term is not used, it should be deleted. Also, defined terms should be used at least twice in the Rules and Regulations. If a defined term is used only once, it is our practice not to list it as a defined term but rather to include the meaning of the defined term in the provision in which it is used, thus making reading of the provision easier.

(a) “Alcohol Awareness Program”, as ~~perstated in~~ Art. 2B § 13-101, means a program that: is approved and certified by the Maryland State Comptroller; has been issued an alcohol awareness program permit by the Maryland State Comptroller; includes instruction on how

alcohol affects a person's body and behavior; provides education on the dangers of drinking and driving; defines effective methods for serving customers to minimize the chance of intoxication, includes instruction on ceasing service before customers become intoxicated; and instruction on determining if a customer is under the age of 21 years. ~~of age.~~

(b) “Alcoholic Beverages” means a liquid, ~~or compound~~, by whatever name called, that contains one-half of one percent or more of alcohol [QUESTION: Are you sure of the “one-half of one percent” figure?] by volume, and is fit for consumption.

(c) “Affidavit” means an oath or affirmation sworn or made before an officer or other person authorized to administer an oath or take an affirmation that the matters and facts set forth in the paper writing to which it pertains are true to the best of the affiant’s knowledge, information and belief, under the penalties of perjury.

(d) “Attorney” means any attorney at law admitted to the Bar of the Court of Appeals of Maryland.

NOTE: Why is this definition in parenthesis rather than being assigned a letter designation?

(Beer means any brewed alcoholic beverage. Beer includes ~~B~~beer, ~~A~~ale, ~~P~~porter, ~~S~~stout, ~~H~~hard ~~C~~cider; and ~~A~~alcoholic beverages that contain: 6% or less alcohol by volume, derived primarily from the fermentation of grain, with not more than 49% of the beverage’s overall alcohol content by volume obtained from ~~flavors~~flavors and other added nonbeverage ingredients containing alcohol; or more than 6% alcohol by volume, derived primarily from the fermentation of grain, with not more than 1.5% of the beverage’s overall alcohol content by volume obtained from flavors and other added nonbeverage ingredients containing alcohol.

(f) “Board” means the Board of Liquor License Commissioners of?? [Most of the time when the full name of the Board is used elsewhere in this draft, “for” is used] Baltimore City.

(g) “Caterer” means any beer and wine or beer, wine and liquor licensee who contracts to provide food and alcoholic beverages to sponsors of public or private events held off the licensed premise [NOTE: In the Rules and Regulations, both “premise” and “premiseS” are used. I suggest you only use “premiseS”].

(h) “Club” means an association, corporation, or other entity, organized and operated exclusively for educational, social, fraternal, patriotic, political, or athletic purposes, and not for profit. Article 2B Section 1-102(a)(4)(I). This definition does not apply to those clubs applying for a beer, wine, and liquor license under Article 2B, Section 7-101(b) and Article 2B 7-101(d).

(i) “Comptroller” means the Comptroller of the Treasury of the State of Maryland.

(j) “Contract Purchaser” means a person, corporation, or partnership that purchases the license and/or business from an active licensee for the purposes of selling the license and/or business on the open market. The contract purchaser is only recognized as such once the appropriate documentation has been filed and approved by the Board or its designee. At no time

can the contract purchaser operate the business, but can only hold the license for the purposes of sale subject to the restrictions stipulated in Article 2B.

(k) “City” means the City of Baltimore, Maryland.

(l) “Hotel” means a licensed premise for the accommodation of the public, equipped with not less than ~~one hundred (100)~~ rooms for the accommodation of the public and a dining room with facilities for preparing and serving regular meals for at least 125 persons at one seating and the capital investment in the hotel facility may not be less than \$500,000.

(p) “Licensed Premises” means those premises that are specifically identified in the license issued by the Board, and may also include an approved outdoor cafe area, and/or a parking area in which patrons from the licensed premises are allowed to park their vehicles.

(q) “License Holder” or “Licensee” [NOTE: Choose one term and use it exclusively] means the holder of any license or permit issued under the provisions of Article 2B or any other law of the State of Maryland.

(r) “Live Entertainment” means any one or more of any of the following, performed live by one or more persons, whether or not done for compensation and whether or not admission is charged: (1) musical act (including karaoke); (2) theatrical act (including stand-up comedy); (3) play; (4) revue; (5) dance; (6) magic act; (7) disc jockey; or (8) similar activity. Of note the definition of “Live Entertainment” is subject to change depending on any revisions or amendments to the Zoning Code of the City. “Live entertainment” does not include adult entertainment, as defined by the Adult Entertainment rules promulgated by this Board. The definition of ???????

(s) “Mixed Drink” means a drink that includes as an ingredient of one or more alcoholic beverages combined ~~together or~~ with non-alcoholic beverages and/or food ~~stuffs~~.

(t) “Non-profit organization” means a not for profit corporation, foundation, or other legal entity that is exempt from federal income tax under the Internal Revenue Code.

(u) “Patron”— means a natural person on the licensed premises with the intention of spending money on the licensed premises.

(v) “Pecuniary Interest” means a legal or equitable interest in the licensed business entitling the owner ~~thereof~~ to receive a percentage of the profits derived from the sale of alcoholic beverages of the business. ~~It~~ “Pecuniary Interest” does not include payments made to any employee, manager, mortgagor, landlord, creditor, or other individual who does not otherwise own an interest in the licensed business. The ownership of stock in either a publicly or privately traded corporation is not considered a pecuniary interest for the purpose of these Rules and Regulations provided that the owner of such stock does not have any substantial degree of control or management of the corporation.

(w) “Person” means a natural person, an association, a partnership, a corporation, a limited liability company, or any other legal entity.

(x) “Renewal” means the reissuance of an existing license for the same premise, licensee(s), and/or type of license.

(y) “Restaurant” means, generally, a licensed premise that accommodates the public, and is equipped with a dining room with facilities for preparing and serving regular meals. The daily receipts from the sale of food shall be at least 40% of the total daily receipts of the establishment. “Food” may not include any ingredient or garnish used with or mixed with an alcoholic beverage that is prepared for consumption on the licensed premise. A restaurant shall be equipped with a public dining room with sufficient tables, chairs, cutlery and glassware to serve meals prepared therein. It shall be equipped with a kitchen having complete facilities and utensils for preparing and serving hot and/or cold meals to the public. There shall be employed a sufficient number of staff to serve the number of patrons provided for in the dining room. There shall be on the premises at all times sufficient food to fill orders from the menu. As per Article 2B, there are more specific requirements for restaurants depending upon their location in each respective legislative alcoholic beverages district. The Board will defer to Article 2B, concerning requirements for food to alcohol sales receipts, capital investment minimums, and seating capacity in those specific applications for licensure. NOTE: This is a stuffed definition, packed with substantive provisions. I suggest you extract the substantive material and craft it as its own Rule.

(z) “Retail Dealer” means a person who deals in or sells any alcoholic beverage to any person other than a license holder.

(aa) “Secured Party” means: QUESTION: Why use “(A)”, (“B””, etc for the subparts to this provision? A better choice might be “(1)”, “(2)”, etc, so that the letters and numbers alternate. At least, make the subpart designations uniform through the Rules and Regulations. For a variation, see, e.g., Rule 1.10.

-1.(A) A person in whose favor a security interest is created or provided for under a security agreement, whether or not any obligation to be secured is outstanding;

(B) A person that holds an agricultural lien;

(C) A consignor;

(D) A person to which accounts, chattel paper, payment intangibles, or promissory notes have been sold;

(E) A trustee, indenture trustee, agent, collateral agent, or other representative in whose favor a security interest or agricultural lien is created or provided for; or

(F) A person that holds a security interest arising under § 2-401, § 2-505, § 2-711(3), § 2A-508(5), § 4-210, or § 5-118 of Md. Commercial Law Code Ann.

~~(G)~~2. Of note, a Secured Party’s interests are subject to any and all restrictions as outlined in Article 2B.

NOTE: This definition doesn’t scan. Subpart (G) doesn’t fit in with subparts (A)-(F) because it is not part of the (A)-(F) series. Use a different designation, like “1.” and “2.”.

(bb) “State” means the State of Maryland.

(cc) “Total Daily Receipts” generally includes all food and beverages; however it does not include sales of novelty items, income from vending machines, or other receipts not resulting from the sale of food or beverages.

(dd) “Wine” means any fermented beverage, including light wines, and wines the alcoholic content of which has been fortified by the addition of alcohol, spirits, or other ingredients.

Rule 1.07 Severability

If any rule or regulation of these Rules and Regulations is held to be unconstitutional, invalid, or inapplicable to any person or circumstance by the final decision of a court of competent jurisdiction, all other rules or regulations of these Rules and Regulations and their application to all other persons and circumstances ~~shall be~~ severable and ~~shall remain not be~~ unaffected by ~~such the~~ decision.

Rule 1.08 – Time

In computing any period of time prescribed or allowed by these Rules and Regulation, the method of computation ~~of time~~ provided by the Maryland Rules of Procedure ~~promulgated by the Court of Appeals of Maryland,~~ shall govern.

Rule 1.09 Licenses to be issued by the Board

(a) ~~In general, n~~No new alcoholic beverage licenses shall be issued, except for ~~specific new~~ licenses ~~may be issued pursuant to in~~allowed under Article 2B.

(b) This rule ~~shall~~does not prevent the renewal of ~~a~~ licenses, ~~nor shall it~~or prohibit the transfer of ownership and/or location of ~~any such~~ license, provided that ~~it~~the renewal or transfer is in accordance with Article 2B.

(c) One Person -One License Except as provided in Article 2B, only one alcoholic beverages license may be held by any one person at any one time.

Rule 1.10 Ancillary Privileges

A) QUESTION: Why do you designate this subpart “A)” when before now the first subpart in a Rule has been (a)? See, e.g., Rule 1.09.Ancillary Privileges that Require Application and Board Hearing

(i) Live Entertainment: The licensee may provide live entertainment, ~~which if the entertainment~~ is not disallowed or in violation of the Zoning laws, rules, and regulations of the City, ~~upon and~~ the licensee ~~making an application and~~ submits an application to the Board and obtain~~ing~~ approval ~~before~~from the Board at a public hearing.

(ii) Outdoor Table or Café Service: The licensee may provide outdoor table or café service, as permitted by the City, upon making an application to and obtaining approval ~~before~~from the Board at a public hearing.

(iii) Catering Privilege License: NOTE: Tabulation would make this paragraph easier to read. 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. If the Board approves the catering privilege application, a catering privilege license will be issued. The licensee who holds the special off-~~premise~~ 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.NOTE: The following sentence should be placed near the top because it describes an act that must occur first in the process. The ~~Baltimore~~ 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.

(iv) Special Amusement License: The Board may issue a Special Amusement License to holders of a Class D license, which will allow them to sell alcoholic beverages during approved types of amusement such as singing, dancing, music (other than recorded music or radio programs), floor shows, acrobatic acts, theatricals or moving pictures. An application to the Board shall be made and approved before issuance of the license.["Holders" is inconsistent with other provisions of the Rules and Regulations that use "licensee", both in word choice and the use of the plural rather than the singular form.]

(B) Other Ancillary Privileges

(i) 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 ~~dictated~~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.

(ii) Temporary License Premise Extension: ~~Generally, a~~A Temporary License Premise Extension ("license" for this subsection only) allows a licensee to extend alcoholic beverages service to an area immediately outside the licensed premise and/or an area authorized by the City ~~of Baltimore~~ via~~under~~ an issued permit. ~~During the use of the license, l~~Licensees are responsible for ~~maintaining~~ensuring that the sale and consumption of alcoholic beverages from the premises are in a fixed [~~and contained~~ Is "contained" needed?] area preventing patrons ~~from~~ leaving the ~~defined~~ [~~space or~~ Needed?] area with an alcoholic beverage.

(a) A license extension ~~can~~may be issued to all annual license holders, except Class A and Class A-2 licensee holders, ~~which~~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.

(b) ~~(1) To be issued a license extension, An applicant for a license extension shall submit an application to the Board at least 10 days before the event for which the extension is sought.~~

~~(2) The application shall contain or be submitted with: _____ obtain all the necessary permits and approvals from the relevant State and local agencies, if applicable, and present them to the Board before applying for a license extension.~~

~~(c) To apply for the license extension, licensees shall write a letter to the Board formally requesting the license extension and explaining to the Board 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), _____ an explanation and/or rendering of the size of the extension area, proof of applicable permits, and payment of the application fee;~~

~~(3) proof of all needed permits and approvals from State and local agencies; and~~

~~(4) payment of the application fee.~~

(d) After a review of the licensee's application, the licensee's temporary license extension past performance ~~[past performance of what??]~~, and any documentation protesting the licensee's ~~current~~ application, the Board ~~can~~may ~~administratively approve the license extension application and~~ issue the permit, unless the Board requires more information or an additional payment of fee from the applicant. ~~Applications shall be submitted at least 10 days before the scheduled event~~ [This 10 days requirement has been moved up to (b)(1)].

Rule 1.11 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 ~~provisions of~~ 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 ~~ten (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 minors [Don't you mean people under 21? I suggest you change it to "underage individuals"] are not served. Submission of a flyer or invitation to the Board detailing all of the ~~mentioned~~needed information will suffice.

(c) If a permit or approval is required by any other governmental agency, the applicant shall provide copies of ~~said the~~ permits or approvals to the Board before the issuance of the license. [QUESTION: Why is the format in this Rule different from the format used in Rule 1.10B?]

(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 ~~can~~ 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, ~~then~~ the applicant shall present a letter from the ~~parent or umbrella non-profit~~ organization ~~indicating that the subsidiary is an organization that falls under the ambit of the parent or non-profit organization~~ stating that relationship.

(e) If the applicant does not have Internal Revenue Service documentation or a Maryland State Tax Exempt Card, ~~then~~ the applicant shall present certified copies of the articles of incorporation and the by-laws of the society/association, ~~which that~~ indicates the membership of the society/association. At the time of application the Board may request ~~valid~~ 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 ~~T~~ Temporary ~~S~~ Special ~~E~~ Event ~~L~~ License includes an estimated attendee count of over 500, ~~then~~ the Board shall take into consideration ~~the following items, if applicable,~~ before ~~administratively~~ 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 ~~current~~ application by the public. If upon review of these ~~se~~ forementioned items, the Board decides not to issue the license, ~~it the Board~~ shall ~~inform~~ send ~~correspondence to~~ the applicant ~~in writing~~ informing the applicant of its decision and ~~providing an explanation~~ the reasons for its decision.

(g) (1) 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. (2) ~~In cases where~~ If an applicant ~~submits~~ an application for a Temporary Special Event License less than ~~ten~~ (10) days before the scheduled event, the Board's administrative staff may ~~grant a waiver~~ the time requirement and allow for the application if there is good cause and consider the application.

Rule 1.12 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 ~~B~~beer, ~~W~~wine, and ~~L~~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. [~~Upon application and approval~~ of the license application, the Board may authorize the holder to hold ~~such the~~ a Wine Festival subject to Article 2B.
QUESTION: Is this sentence needed?]

(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 Baltimore~~ City, subject to Article 2B. [Upon application and approval the Board may authorize the holder to hold such a Beer Festival subject to Article 2B. QUESTION: Is this sentence needed?]

(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. [Upon application and approval the Board may authorize the holder to hold such a Non-Profit Beer Festival subject to Article 2B. QUESTION: Is this sentence needed?]

Rule 1.13 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 ~~retail~~ alcoholic beverages license ~~e~~ 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. [Upon application and approval the Board may authorize the holder to hold such a Sunday license subject to Article 2B.]

(b) Class A – Special Two Additional Sunday Licenses: The Board may issue to the holder of a Class A ~~retail~~ alcoholic beverages license ~~e~~ 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 ~~the provisions and restrictions of~~ Article 2B. [Upon application and approval the Board may authorize the holder to hold such a Sunday license subject to Article 2B.]

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

Article 2B. [Upon application and approval the Board may authorize the holder to hold such a Sunday license subject to Article 2B.]