

HON. ALBERT J. MATRICCIANI, JR. (RET.)  
CHAIRMAN

COMMISSIONERS  
AARON J. GREENFIELD, ESQ.  
ROBERT E. GUYE

ALTERNATE COMMISSIONER  
HARVEY E. JONES



DOUGLAS K. PAIGE  
EXECUTIVE SECRETARY  
THOMAS R. AKRAS, ESQ.  
DEPUTY EXECUTIVE SECRETARY  
STACI L. RUSSELL  
ASSISTANT EXECUTIVE  
SECRETARY

STATE OF MARYLAND  
**BOARD OF LIQUOR LICENSE COMMISSIONERS**  
FOR BALTIMORE CITY  
1 N. CHARLES STREET, SUITE 1500  
BALTIMORE, MARYLAND, 21201-3724  
PHONE: (410) 396-4377

**Date:** September 9, 2020

**Re:** Guidance for Baltimore City's licensed establishments concerning Baltimore City Mayor Bernard C. "Jack" Young's Mayoral Executive Order allowing for Partial Reopening Pursuant to Phase II in light of Executive Order 20-09-01-01 issued by Governor Lawrence J. Hogan and Maryland Department of Health Order 2020-09-01-01 issued by Secretary Robert R. Neall.

**From:** Board of Liquor License Commissioners for Baltimore City (BLLC)

---

To provide revised guidance for Baltimore City's licensed establishments concerning Baltimore City Mayor Bernard C. "Jack" Young's Mayoral Executive Order allowing for Partial Reopening Pursuant to Phase II in light of Executive Order 20-09-01-01 issued by Governor Lawrence J. Hogan and Maryland Department of Health Order 2020-09-01-01 issued by Secretary Robert R. Neall:

**1. Does Mayor Young's Executive Order affect my Restaurant, Tavern, or Social Club business?**

- a. **Yes.** Generally speaking, as per Mayor Young's Executive Order issued on September 8 2020, if you are a Restaurant (Class B Beer and Wine and Class B Beer, Wine, and Liquor) or a Tavern (Class D Beer and Wine, Class D Beer, Wine, and Liquor, or a Class BD7 Beer, Wine, and Liquor), or a Social Club (Class C Beer and Wine or Class C Beer, Wine, or Liquor), or a Tavern with Adult Entertainment (Class BD7 Beer, Wine, and Liquor License and Class AE Adult Entertainment License) you are allowed to provide indoor and outdoor on-premise consumption to patrons of your establishment, to the extent permitted by law.

**2. Are there any limitations as to how I provide indoor and outdoor alcoholic beverage service to patrons by my Restaurant, Tavern, or Social Club?**

- a. **Yes.** Subject to subsection (b) found below, all restaurants, bars, nightclubs, and other similar establishments (Restaurant, Tavern, and Social Club) that sell food and beverages or beverages for consumption on-premises may, to the extent permitted by applicable law:
- i. Serve food and beverages to customers for consumption in outdoor seating areas;
  - ii. Sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis;
  - iii. Deliver food and beverages to customers off the premises; and
  - iv. Serve food and beverages to customers for consumption in indoor seating areas.
- b. Restaurants, Taverns, and Social Clubs shall:
- i. Require all staff and patrons to wear face coverings, in accordance with the Face Coverings Order;
  - ii. Not allow the number of persons in the Restaurant, Tavern, or Social Club to exceed 50% of the Restaurant, Tavern, or Social Club's Maximum Occupancy;
  - iii. Not serve food in a buffet format;
  - iv. **Not serve customers who are not seated;** and
  - v. Clean and disinfect each table between each seating in accordance with CDC and MDH guidelines, using cleaning products that meet the criteria of the U.S. Environmental Protection Agency for use against COVID-19.

3. **Does Mayor Young's Mayoral Executive Order issued on September 8, 2020 impose additional restrictions on the hours of operation of my establishment?**
  - a. **No.** Under this Executive Order, Restaurants, Taverns, and Social Clubs are permitted to offer indoor consumption of alcoholic beverages and/or food under the scope of their license as authorized under the Alcoholic Beverages Article, which should be listed on your alcoholic beverages license.
4. **Are there any limitations as to how I provide alcoholic beverage service to patrons seated in my outdoor dining area?**
  - a. **Yes.** On-premises outdoor table service is limited to the boundaries and area as proscribed by the Use and Occupancy permit issued to the establishment and approved by the Board. In the alternative, an establishment can provide outdoor table service in compliance with the guidelines listed within the Outdoor Seating Relief Program or the Outdoor Dining Street Closure Program permit, as long as and it has also been issued a Temporary Outdoor Extension Permit by the BLLC to provide alcoholic beverage service.
5. **Given Maryland Department of Health Order 2020-09-01-01 issued by Secretary Robert R. Neall and Mayor Young's Mayoral Executive Order issued on September 8, 2020, is live entertainment and adult entertainment allowed within the City of Baltimore at licensed establishments?**
  - a. **Yes.** Maryland Department of Health Order 2020-09-01-01 issued by Secretary Robert R. Neall rescinds the prohibited on live and adult in-person adult entertainment. If the establishment is permitted to provide live and/or adult entertainment by law, it must ensure that protocols regarding the wearing of Face Coverings, social distancing between performers and patrons, and CDC and MDH guidelines concerning the cleaning and disinfecting of tables and locations where performers are performing must be followed.
6. **Are indoor movie theatres allowed to open and operate given Mayor Young's Executive Order issued on September 8, 2020?**
  - a. **Yes.** Movie theatres, which are licensed establishments in the City of Baltimore, are allowed to reopen **as long as the total number of persons permitted in the movie theatre at any one time (per individual auditorium or performance stage) shall not exceed the lesser of 50% of that theater's Maximum Occupancy or 100 persons.**
7. **Are retail establishments (primarily packaged goods stores) affected by Mayor Young's Mayoral Executive Order issued on September 8, 2020?**
  - a. **Yes.** Generally speaking, packaged goods (Class A Beer and Wine, Class A Beer, Wine, and Liquor, Class A-7 Beer, Wine, and Liquor) stores may remain open and shall continue to ensure compliance with social distancing, masking requirements, and limiting the total number of customers in the retail establishment at any time to 50% of the maximum occupancy load of the establishment as determined by the Baltimore City Fire Department.
8. **Is the Horseshoe Casino affected by Mayor Young's Mayoral Executive Order issued on September 8, 2020?**
  - a. **Yes.** The total number of persons permitted in the Horseshoe Casino at any one time shall not exceed 50% of its Maximum Occupancy.
9. **What does Maximum Occupancy mean for the purposes of Mayor Young's Mayoral Executive Order issued on September 8, 2020?**
  - b. The **Maximum Occupancy means** the maximum occupancy load of the facility under the applicable fire code, as set forth on a certificate issued for the facility by a local fire code official. If no such certificate has been issued for the facility by the local fire code official, the maximum occupancy of the facility will be set pursuant to applicable laws, regulations, and permits.

If you have any other questions regarding this matter, please contact General Counsel at the Baltimore City Department of Health, Ms. Kathleen Smith at [Kathleeng.Smith@baltimorecity.gov](mailto:Kathleeng.Smith@baltimorecity.gov)