

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: July 23, 2020

Re: Revised Guidance for Baltimore City's licensed establishments concerning Baltimore City Mayor Bernard C. "Jack" Young's Mayoral Executive Order Rescinding Mayoral Orders Regarding Limited Opening of Restaurants and Bars for Indoor Dining

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

To provide revised guidance to licensed establishments within the City of Baltimore, the BLLC requests that all applicable licensees adhere to the following guidelines to ensure compliance with Mayor Young's Mayoral Executive Order issued on July 22, 2020:

1. How does Mayor Young's Mayoral Executive Order issued on July 22, 2020 affect my business?

- a. This Order specifically prohibits indoor on-premises consumption of alcoholic beverages and food by Restaurants and Bars within the City of Baltimore. Effective July 24, 2020 at 5:00 pm, Restaurants and Bars that sell food or beverages for consumption on-premises in Baltimore City may, to the extent permitted by applicable local 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. carry-out or drive through basis; and/or
 - iii. Deliver food and beverages to customers off the premises.
- b. Restaurants and Bars that serve food and beverages to customers in outdoor areas shall:
 - i. Have the appropriate permits to operate with outdoor seating;
 - ii. Require all staff to wear Face Coverings; in accordance with the Face Covering Order (As per Baltimore City Health Commissioner Dr. Letitia Dzrasa's Health Commissioner Directive and Order Regarding Face Coverings in Public issued on July 22, 2020);
 - iii. Ensure patrons are *seated* at least six feet away from each other, except for households seated together, and are wearing cloth face coverings when they are not eating or drinking;
 - iv. Not allow groups larger than six persons to be seated together, except for members of the same household;
 - v. Not serve food in a buffet format; and
 - vi. Clean and disinfect each table and all items that remain on the table between each seating in accordance with the CDC and MDH guidelines, using cleaning products that meet the criteria and the U.S. Environmental Protection Agency for use against COVID-19.

2. What types of licenses are affected by the Mayoral Executive Order issued on July 22, 2020?

- a. In general, Class B, Class BD7, Class C, Class D, Arena, and Casino licenses are affected by this Mayoral Executive Order. This Order specifically prohibits *indoor* on-premises consumption of alcoholic beverages and food.

- 3. Does this mean that I am still allowed to provide alcoholic beverage service to individuals who are seated at outdoor tables?**
 - a. Yes. This Mayoral Executive Order allows for on-premises consumption of alcoholic beverages for establishments that have permanent outdoor table service. It also authorizes licensees that have been awarded temporary outdoor table service through the Outdoor Seating Relief Program or the Outdoor Dining Street Closure Program and been issued a Temporary Outdoor Extension Permit by the BLLC to provide alcoholic beverage service.

- 4. What if my business does not or cannot provide outdoor table service to its patrons?**
 - a. If your business provides neither permanent outdoor table service nor temporary outdoor table service authorized by the Outdoor Seating Relief Program or the Outdoor Dining Street Closure Program, then you cannot provide on-premises consumption of alcoholic beverages to patrons.

- 5. What if I do not offer outdoor table service, and a customer is waiting for his or her carry-out food order, may I serve them an alcoholic beverage to be consumed while they wait for their carry-out order?**
 - a. No. This Mayoral Executive Order only authorizes licensed establishments that have the privilege of outdoor table service attached to their license to allow patrons to consume food and alcoholic beverages outdoors if they are *seated* six feet away from each other and in groups no larger than six persons, who happen to be members of the same household.

- 6. If I do not wish to serve food nor alcoholic beverages to patrons, am I allowed to provide the general public with in-person indoor access to live entertainment events, which include, but are not limited to live bands, disc jockeys, and/or adult entertainment?**
 - a. No. As per the Mayoral Executive Order entitled “Updating and Clarifying Permitted Gatherings” issued on June 22, 2020, and in accordance with the Maryland Department of Health’s “Amended Directive and Order Regarding Community, Recreational, Leisure, Cultural, and Sporting Gatherings and Events (MDH 2020-06-12-01)”, venues at which indoor live entertainment performances are allowed to occur, may resume only for the purpose of live-streaming or broadcasting, but are not allowed to open to the general public.

- 7. Didn’t Governor Lawrence J. Hogan issue an Executive Order that allowed for indoor on-premises alcoholic beverage consumption? Does Mayor Bernard C. “Jack” Young’s Executive Order override the Governor’s Executive Order?**
 - a. Yes, and Yes. On June 10, 2020, Governor Hogan issued Executive Order 20-06-10-01 that allowed licensed Restaurants and Bars within the State of Maryland to provide indoor alcoholic beverage consumption at 50% of the Maximum Occupancy Load of the establishment. However, the Governor’s Executive Order was contingent on the local jurisdiction’s continuing approval. Mayor Young’s Executive Order issued on July 22, 2020 partially rescinds a prior Mayoral Executive Order issued on June 19, 2020 that was issued by the Mayor to allow for indoor alcoholic beverage consumption.

If you have any other questions regarding this matter, please contact Deputy Executive Secretary Thomas R. Akras at 410-396-4377 or via email at thomas.akras@baltimorecity.gov