

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**THURSDAY, FEBRUARY 11, 2021
WEBEX VIRTUAL HEARING
BALTIMORE, MARYLAND**

**Albert Matricciani, Jr., Chairperson
Aaron Greenfield, Commissioner
Robert E. Guye, Commissioner**

Violations Docket – Violation of Rule 4.16, Rule 3.12 and Rule 4.14(a) 11:00 AM
Carolina Tex Mex Restaurant, LLC, t/a Carolina Tex Mex Restaurant
500 S. Wolfe Street, Baltimore MD 21231 License # LB 176
1st Councilmanic District (Cohen)

Attorney for Applicant: Harry Prevas

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 10:30 p.m. on October 6, 2020 members of the BLLC responded to a 311 call regarding loud music emanating from the establishment. Upon arrival, the inspectors parked their cars and observed the location for 10 minutes. The inspectors exited their cars and upon approaching the establishment, they could hear unreasonably loud music emanating from the establishment. After entering the establishment, the inspectors went to the 2nd floor and observed a “drag show” taking place. The inspectors informed the bartender of the noise complaint and reviewed the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license, which after review, the establishment did not. The inspectors informed the bartender that a violation would be issued and instructed the performers to end the show.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 10:30 p.m. on October 6, 2020 members of the BLLC responded to a 311 call regarding loud music emanating from the establishment. Upon arrival, the inspectors parked their cars and observed the location for 10 minutes. The inspectors exited their cars and upon approaching the establishment, they could hear unreasonably loud music emanating from the establishment. After entering the establishment, the inspectors went to the 2nd floor and observed a “drag show” taking place. The inspectors informed the bartender of the noise complaint and reviewed the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license, which after review, the establishment did not. The inspectors informed the bartender that a violation would be issued and instructed the performers to end the show.

Alleged violation of Rule 4.14(a) (Live Entertainment) when at approximately 10:30 p.m. on October 6, 2020 members of the BLLC responded to a 311 call regarding loud music emanating from the establishment. Upon arrival, the inspectors parked their cars and

observed the location for 10 minutes. The inspectors exited their cars and upon approaching the establishment, they could hear unreasonably loud music emanating from the establishment. After entering the establishment, the inspectors went to the 2nd floor and observed a “drag show” taking place. The inspectors informed the bartender of the noise complaint and reviewed the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license, which after review, the establishment did not. The inspectors informed the bartender that a violation would be issued and instructed the performers to end the show.

Corporate Standing: Carolina Tex Mex Restaurant, LLC is an active Maryland corporation not in good standing as of December 31, 2020.

Location Violation History: November 5, 2020 – Violation of Rule 3.12 (General Welfare) and Rule 3.12 (General Welfare) – Fined \$225

Witnesses: Pedro Silva – Licensee, Mayra Bernal – Bartender, Darwin Posadas – Customer, Walter Farley-Robinson – BLLC Inspector, Cindy-Leigh Tudhope – BLLC Inspector

Disposition: The Board has found that the licensee violated Rule 4.16 and Rule 3.12, and dismissed Rule 4.14(a) on October 6, 2020 and imposed a fine of \$300 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.16 and Rule 3.12

11:00 AM

Soldi Fossa, LLC, t/a The Chasseur
3326-28 Foster Avenue, Baltimore MD 21224

License # LBD7 134 (19-20)
1st Councilmanic District (Cohen)

Attorney for Applicant: Stephan Fogleman

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:45 p.m. on December 18, 2020 members of the BLLC along with the Social Club Taskforce responded to the location to determine if the establishment was operating in violation of Mayor Scott’s Executive Order issued on December 11, 2020, which prohibited any on-premises consumption of alcoholic beverages. Upon arrival, inspectors and officers proceeded up the rear exterior staircase to the third floor of the establishment. Upon reaching the rear entrance of the third floor, they looked in the window and observed a large crowd of individuals inside of the establishment, and upon entering the establishment, they observed individuals seated at the bar consuming alcoholic beverages as well as only a few patrons wearing masks inside the establishment. The inspector informed the licensee and manager that the establishment was in violation of Mayor Scott’s Executive Order and instructed them to clear the establishment of the 18 counted patrons.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 9:45 p.m. on December 18, 2020 members of the BLLC along with the Social Club Taskforce responded to the location to determine if the establishment was operating in violation of Mayor Scott’s Executive Order issued on December 11, 2020, which prohibited any on-premises consumption of alcoholic beverages. Upon arrival, inspectors and officers proceeded up the rear exterior staircase to the third floor of the establishment. Upon reaching the rear

entrance of the third floor, they looked in the window and observed a large crowd of individuals inside of the establishment, and upon entering the establishment, they observed individuals seated at the bar consuming alcoholic beverages as well as only a few patrons wearing masks inside the establishment. The inspector informed the licensee and manager that the establishment was in violation of Mayor Scott's Executive Order and instructed them to clear the establishment of the 18 counted patrons.

Corporate Standing: Soldi Fossa, LLC is an active Maryland corporation not in good standing as of January 10, 2021.

Location Violation History: None.

Witnesses: Brain D. Eder – Manager, John Chrissomallis – BLLC Chief Inspector, Cindy-Leigh Tudhope – BLLC Inspector, Det. Greenhill – Baltimore City Police Officer

Disposition: The Board has found that the licensee violated Rule 4.16 and Rule 3.12 on December 18, 2020 and imposed a fine of \$100 and an administrative fee of \$125, both payable within 30 days.

**Violations Docket – Violation of Rule 4.16, Rule 3.12. Rule 4.16, Rule 3.12, 11:00 AM
Rule 4.14(a), Rule 4.16, Rule 3.12, Rule 4.14(a), Rule 4.16,
Rule 3.12, Rule 4.16, Rule 3.12, and Rule 4.14(a)**

El Rincon Troncaleno, LLC, t/a El Rincon Troncaleno License # LB 187
422-26 S. Macon Street, Baltimore MD 21224 1st Councilmanic District (Cohen)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 11:15 p.m. on August 15, 2020 members of the BLLC responded to two 311 call complaints regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. At the front of the establishment, inspectors observed a tent set up with tables and chairs placed on the curb in front of the establishment, thus allowing for alcoholic beverage service to be provided to patron. At the time of this observation, the establishment lacked the required liquor board permits to provide temporary outdoor table service, and it was observed that these tables were less than 6-feet apart and had more than six patrons to a table. Lastly, the inspectors observed three individuals seated at the bar consuming alcoholic beverages which was in violation of Mayor Young's Executive Order issued August 7, 2020. The inspectors contacted the licensee and informed him of the violations.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:15 p.m. on August 15, 2020 members of the BLLC responded to two 311 call complaints regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. At the front of the establishment, inspectors observed a tent set up with tables and chairs placed on the curb in front of the establishment, thus allowing for alcoholic beverage service to be provided to patron. At the time of this observation, the establishment lacked the required

liquor board permits to provide temporary outdoor table service, and it was observed that these tables were less than 6-feet apart and had more than six patrons to a table. Lastly, the inspectors observed three individuals seated at the bar consuming alcoholic beverages which was in violation of Mayor Young's Executive Order issued August 7, 2020. The inspectors contacted the licensee and informed him of the violations.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 12:30 a.m. on September 4, 2020 members of the BLLC responded to a 311 call regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. When they entered the establishment, the inspectors observed several staff members and patrons not wearing protective face coverings, which is a violation of Mayor Young's Executive Order issued on August 7, 2020. The establishment was also overcrowded and patrons were dancing, but the establishment does not have live entertainment privileges attached to the license. The inspectors contacted the licensee and informed them of the violations. At the time, the licensee stated that the patrons "just want to dance".

Alleged violation of Rule 3.12 (General Welfare) when at approximately 12:30 a.m. on September 4, 2020 members of the BLLC responded to a 311 call regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. When they entered the establishment, the inspectors observed several staff members and patrons not wearing protective face coverings, which is a violation of Mayor Young's Executive Order issued on August 7, 2020. The establishment was also overcrowded and patrons were dancing, but the establishment does not have live entertainment privileges attached to the license. The inspectors contacted the licensee and informed them of the violations. At the time, the licensee stated that the patrons "just want to dance".

Alleged violation of Rule 4.14(a) (Live Entertainment without Authorization) when at approximately 12:30 a.m. on September 4, 2020 members of the BLLC responded to a 311 call regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. When they entered the establishment, the inspectors observed several staff members and patrons not wearing protective face coverings, which is a violation of Mayor Young's Executive Order issued on August 7, 2020. The establishment was also overcrowded and patrons were dancing, but the establishment does not have live entertainment privileges attached to the license. The inspectors contacted the licensee and informed them of the violations. At the time, the licensee stated that the patrons "just want to dance".

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 11:30 p.m. on October 14, 2020 members of the BLLC responded to a 311 call for service regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. When

they entered the establishment, the inspectors observed several staff members and patrons not wearing protective face coverings, which is a violation of Mayor Young's Executive Order issued on September 8, 2020. The establishment was also overcrowded and patrons were dancing, but the establishment does not have live entertainment privileges attached to the license. The inspectors contacted the licensee and informed them of the violations. At the time, the licensee stated that he "tries to stop the patrons from dancing".

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:30 p.m. on October 14, 2020 members of the BLLC responded to a 311 call for service regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. When they entered the establishment, the inspectors observed several staff members and patrons not wearing protective face coverings, which is a violation of Mayor Young's Executive Order issued on September 8, 2020. The establishment was also overcrowded and patrons were dancing, but the establishment does not have live entertainment privileges attached to the license. The inspectors contacted the licensee and informed them of the violations. At the time, the licensee stated that he "tries to stop the patrons from dancing".

Alleged violation of Rule 4.14(a) (Live Entertainment without Authorization) when at approximately 11:30 p.m. on October 14, 2020 members of the BLLC responded to a 311 call for service regarding loud music emanating from the establishment. Upon arrival, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. When they entered the establishment, the inspectors observed several staff members and patrons not wearing protective face coverings, which is a violation of Mayor Young's Executive Order issued on September 8, 2020. The establishment was also overcrowded and patrons were dancing, but the establishment does not have live entertainment privileges attached to the license. The inspectors contacted the licensee and informed them of the violations. At the time, the licensee stated that he "tries to stop the patrons from dancing".

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 11:23 p.m. on October 17, 2020 members of the BLLC responded to a 311 call for service regarding loud music emanating from the establishment. Upon arrival at the establishment, the inspectors observed the door closed and the music volume at an appropriate level. As inspectors entered the establishment, they observed that the establishment was over 50% capacity as allowed per Mayor Young's Executive Order issued on September 8, 2020, which according to the Fire Department Permit issued to the establishment is 86, and the inspector counted over 100 individuals inside the establishment at that time. After making these observations, the inspector informed the licensee of the violations.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:23 p.m. on October 17, 2020 members of the BLLC responded to a 311 call for service regarding loud music emanating from the establishment. Upon arrival at the establishment, the inspectors observed the door closed and the music volume at an appropriate level. As inspectors

entered the establishment, they observed that the establishment was over 50% capacity as allowed per Mayor Young's Executive Order issued on September 8, 2020, which according to the Fire Department Permit issued to the establishment is 86, and the inspector counted over 100 individuals inside the establishment at that time. After making these observations, the inspector informed the licensee of the violations.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 7:02 p.m. on November 22, 2020 members of the BLLC responded to the establishment based on a complaint received by the Chief Inspector regarding the operation of the establishment. As inspectors entered the establishment, they observed that the establishment was over 25% capacity as allowed by Mayor Young's Executive Order issued on November 12, 2020, which according to the Fire Department Permit issued to the establishment is 86. The Chief Inspector performed a headcount and observed there to be approximately 82 individuals inside the establishment. In addition, the Chief Inspector observed numerous patrons dancing and standing around while consuming alcoholic beverages. After making these observations, inspectors informed the licensee of the violations.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 7:02 p.m. on November 22, 2020 members of the BLLC responded to the establishment based on a complaint received by the Chief Inspector regarding the operation of the establishment. As inspectors entered the establishment, they observed that the establishment was over 25% capacity as allowed by Mayor Young's Executive Order issued on November 12, 2020, which according to the Fire Department Permit issued to the establishment is 86. The Chief Inspector performed a headcount and observed there to be approximately 82 individuals inside the establishment. In addition, the Chief Inspector observed numerous patrons dancing and standing around while consuming alcoholic beverages. After making these observations, inspectors informed the licensee of the violations.

Alleged violation of Rule 4.14(a) (Live Entertainment without Authorization) when at approximately 7:02 p.m. on November 22, 2020 members of the BLLC responded to the establishment based on a complaint received by the Chief Inspector regarding the operation of the establishment. As inspectors entered the establishment, they observed that the establishment was over 25% capacity as allowed by Mayor Young's Executive Order issued on November 12, 2020, which according to the Fire Department Permit issued to the establishment is 86. The Chief Inspector performed a headcount and observed there to be approximately 82 individuals inside the establishment. In addition, the Chief Inspector observed numerous patrons dancing and standing around while consuming alcoholic beverages. After making these observations, inspectors informed the licensee of the violations.

Corporate Standing: El Rincon Troncalenco, LLC is an active Maryland corporation in good standing as of December 28, 2020.

Location Violation History: October 20, 2020 – Violation of Rule 4.16 (Illegal Conduct), Rule 3.12 (General Welfare), Rule 3.12 (General Welfare) and Rule

4.16 (Illegal Conduct) – Fined \$925

August 4, 2020 – Violation of Rule 3.12 (General Welfare – Dismissed), Rule 4.14 (Live Entertainment Without Authorization – Dismissed), Rule 3.12 (General Welfare), Rule 4.14 (Live Entertainment without Authorization), Rule 3.12 (General Welfare), Rule 4.14 (Live Entertainment Without Authorization) and Rule 4.16 (Illegal Conduct) – Fined \$775

April 18, 2019 – Protest of Renewal – Board voted to renew
December 6, 2018 – Violation of Rule 3.12 (General Welfare) and Rule 4.16 (Illegal Conduct) – Fined \$2,125

October 11, 2018 – Violation of Rule 4.01(a) (Sales to Minors) and Rule 3.03(c) (Employee Records) – Fined \$1,325

May 24, 2018 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$375

Witnesses: Jacson Munoz – Licensee, Harold Green – Manager, Cindy-Leigh Tudhope – BLLC Inspector, Rosalba Jordan – BLLC Inspector, Terri Chase – BLLC Agent Inspector, Darryl Clark – BLLC Agent Inspector, Steven Han – BLLC Agent Inspector, Andy Perez – BLLC Agent Inspector

Disposition: The Board has voted 2-1 and found that the licensee violated Rule 4.16 and Rule 3.12 on August 15, 2020, Rule 4.16 and Rule 3.12 on September 4, 2020, Rule 4.16 and Rule 3.12 on October 14, 2020, Rule 4.16 and Rule 3.12 on October 17, and Rule 4.16 and Rule 3.12 on November 22, 2020. The Board has voted 2-1 to dismiss Rule 4.14(a) on September 4, 2020, Rule 4.14(a) on October 14, 2020, and Rule 4.14(a) on November 22, 2020. The Board also voted 3-0 to revoke the license, commencing immediately.

Violations Docket – Violation of Rule 4.16 and 3.12

11:00 AM

Nitro, LLC, t/a Aqua Bar & Grill

License # LBD7 287

3537 E. Fairmount Avenue, Baltimore MD 21224

1st Councilmanic District (Cohen)

Attorney for Applicant: Stephan Fogleman

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:35 p.m. on December 4, 2020 members of the BLLC and members of the Social Club Taskforce responded to the establishment to conduct an inspection of the establishment. Upon arrival, the inspector observed there were two white tents erected that allowed for patrons to consume alcoholic beverages at the tables. The inspector observed individuals seated at the tables consuming alcohol. The inspector then entered the establishment and observed 20 individuals sitting at the bar and seated at tables, but just consuming alcoholic beverages. As per the Fire Department Permit, the maximum occupancy for this location is approximately 48 persons. The inspector contacted the manager on premise and inquired as to whether the proper permits were acquired by the establishment to provide outdoor table service. The manager could not produce any permits regarding the outdoor table

service. At that time, the inspector issued violations related to food service and the 25% capacity as per Mayor Young's Executive Order issued November 12, 2020 and not obtaining the proper permits for outdoor tables service.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 9:35 p.m. on December 4, 2020 members of the BLLC and members of the Social Club Taskforce responded to the establishment to conduct an inspection of the establishment. Upon arrival, the inspector observed there were two white tents erected that allowed for patrons to consume alcoholic beverages at the tables. The inspector observed individuals seated at the tables consuming alcohol. The inspector then entered the establishment and observed 20 individuals sitting at the bar and seated at tables, but just consuming alcoholic beverages. As per the Fire Department Permit, the maximum occupancy for this location is approximately 48 persons. The inspector contacted the manager on premise and inquired as to whether the proper permits were acquired by the establishment to provide outdoor table service. The manager could not produce any permits regarding the outdoor table service. At that time, the inspector issued violations related to food service and the 25% capacity as per Mayor Young's Executive Order issued November 12, 2020 and not obtaining the proper permits for outdoor tables service.

Corporate Standing: Nitro, LLC is an active Maryland corporation in good standing as of December 30, 2020.

Location Violation History: None since 2009.

Witnesses: --

Disposition: Attorney Stephan Fogleman requested a postponement on the record. The Board has granted the request for postponement. This matter will be scheduled for 3/4/2021.

Violations Docket – Violation of Rule 4.16, Rule 3.12, and Rule 4.14(a) 11:00 AM
Weidog, LLC, t/a Playbook License # LBD7 050
6700 German Hill Road, Baltimore MD 21222 1st Councilmanic District (Cohen)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 11:45 p.m. on August 5, 2020 members of the BLLC conducted an inspection of the establishment to ensure that it was following Mayor Young's Executive Order issued July 22, 2020. Upon arrival at the establishment, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. At the front of the establishment, the inspectors observed a disc jockey play music from amplified speakers situated at the threshold of the establishment's outdoor deck, but the establishment does not have live entertainment privileges attached to the license. Furthermore, the outdoor deck was found to be overcrowded as the tables were not positioned 6-feet apart as per their temporary use and occupancy permit, which specified they can have 8 tables in order to promote social distancing. After making these observations, the inspector informed the manager of the violations.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:45 p.m. on August 5, 2020 members of the BLLC conducted an inspection of the establishment to ensure that it was following Mayor Young's Executive Order issued July 22, 2020. Upon arrival at the establishment, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. At the front of the establishment, the inspectors observed a disc jockey play music from amplified speakers situated at the threshold of the establishment's outdoor deck, but the establishment does not have live entertainment privileges attached to the license. Furthermore, the outdoor deck was found to be overcrowded as the tables were not positioned 6-feet apart as per their temporary use and occupancy permit, which specified they can have 8 tables in order to promote social distancing. After making these observations, the inspector informed the manager of the violations.

Alleged violation of Rule 4.14(a) (Live Entertainment without Authorization) when at approximately 11:45 p.m. on August 5, 2020 members of the BLLC conducted an inspection of the establishment to ensure that it was following Mayor Young's Executive Order issued July 22, 2020. Upon arrival at the establishment, the inspectors could hear unreasonably loud music emanating from the establishment as they approached. At the front of the establishment, the inspectors observed a disc jockey play music from amplified speakers situated at the threshold of the establishment's outdoor deck, but the establishment does not have live entertainment privileges attached to the license. Furthermore, the outdoor deck was found to be overcrowded as the tables were not positioned 6-feet apart as per their temporary use and occupancy permit, which specified they can have 8 tables in order to promote social distancing. After making these observations, the inspector informed the manager of the violations.

Corporate Standing: Weidog, LLC is an active Maryland corporation in good standing as of December 31, 2020.

Location Violation History: October 11, 2018 – Violation of Rule 4.01(a) (Sales to Minors) – 2-0 vote (Matricciani recused from decision) – Fined \$2,625 and suspended 1 week
August 30, 2018 – Violation of Rule 4.14(a) (Live Entertainment without Authorization), Rule 3.03(c) (Employee Records), and Rule 3.09(b) (Rest Room Facilities and Health Regulations) – 2-0 vote (Matricciani recused from decision) – Fined \$1,875

Witnesses: Carlos Bulnes – Manager, Darryl Clark – BLLC Agent Inspector, Rosalba Jordan – BLLC Inspector, John Chrissomallis – BLLC Chief Inspector, Andy Perez – BLLC Agent Inspector

Disposition: The Board (Chairman Matricciani recuses himself from this decision) has found that the licensee violated Rule 4.16, Rule 3.12, and Rule 4.14(a) on August 5, 2020 and imposed a fine of \$300 and an administrative fee of \$125, both payable within 30 days.