#### February 11, 2021

Licensee(s):

Thomas Hamrick and Yenys Silva

Carolina Tex Mex Restaurant, LLC T/a Carolina's Tex Mex Restaurant

500 S. Wolfe Street 21231

Class:

"B" Beer, Wine & Liquor License

Violation of Rule 4.16 Illegal Conduct – October 6, 2020 – At approximately 10:30 PM, Baltimore City Liquor Board Inspector Walter Robinson and Inspector Cindy Tudhope responded to a 311 call for service (#20-00686651) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors parked their cars and observed the location for 10 minutes. After 10 minutes, the inspectors exited their vehicles and entered the establishment. Upon approach, the Inspectors could hear unreasonably loud music emanating from the establishment. After entering the establishment, Inspectors went to the second floor and observed a "drag show" taking place. The BLLC inspectors informed the bartender of the noise complaint and checked the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license. Upon review of the establishment's license it was determined that the location was not authorized to provide live entertainment. BLLC inspectors then informed the bartender that a violation would be issued for the loud noise and provision of live entertainment without authorization. The bartender instructed the performers to end the show and the BLLC left the scene.

Violation of Rule 3.12 General Welfare – October 6, 2020 – At approximately 10:30 PM, Baltimore City Liquor Board Inspector Walter Robinson and Inspector Cindy Tudhope responded to a 311 call for service (#20-00686651) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors parked their cars and observed the location for 10 minutes. After 10 minutes, the inspectors exited their vehicles and entered the establishment. Upon approach, the Inspectors could hear unreasonably loud music emanating from the establishment. After entering the establishment, Inspectors went to the second floor and observed a "drag show" taking place. The BLLC inspectors informed the bartender of the noise complaint and checked the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license. Upon review of the establishment's license it was determined that the location was not authorized to provide live entertainment. BLLC inspectors then informed the bartender that a violation would be issued for the loud noise and provision of live entertainment without authorization. The bartender instructed the performers to end the show and the BLLC left the scene.

Violation of Rule 4.14 (a) Live Entertainment – October 6, 2020 – At approximately 10:30 PM, Baltimore City Liquor Board Inspector Walter Robinson and Inspector Cindy Tudhope responded to a 311 call for service (#20-00686651) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors parked their cars and observed the location for 10 minutes. After 10 minutes, the inspectors exited their vehicles and entered the establishment. Upon approach, the Inspectors could hear unreasonably loud music emanating from the establishment. After entering the establishment, Inspectors went to the second floor and observed a "drag show" taking place. The BLLC inspectors informed the bartender of the noise complaint and checked the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license. Upon review of the establishment's license it was determined that the location was not authorized to provide live entertainment. BLLC inspectors then informed the bartender that a violation would be issued for the loud noise and provision of live entertainment without authorization. The bartender instructed the performers to end the show and the BLLC left the scene.

- (a) Service on Licensee(s): Summons issued to the licensee(s) on 1/26/2021.
- (b) Witnesses Summonsed: Summons issued to Inspector Tudhope and Inspector Robinson on 1/26/2021.

#### (c) Violation History of Current Corporation: Licensee(s) appeared before the Board on 11/5/2020 in reference to:

- Violation of Rule 3.12 General Welfare
- Violation of Rule 3.12 General Welfare
- \$100 fine + \$125 admin fee
- \$225 total fine

#### Licensee(s) appeared before the Board on 9/22/2016 in reference to:

- Violation of Alc. Bev. Art 4-505(f)(1)(iii) Failure to present up to date valid certificate
- Violation of Rule 4.08(a) Relations with Wholesalers
- \$500 fine + \$125 admin fee
- \$625 total fine
- 3-day suspension

#### Licensee(s) appeared before the Board on 10/8/2015 in reference to:

- Violation of Rule 4.05 Prohibited Hours
- Violation of Rule 3.03 (c) Employee Records
- Violation of Rule 4.18 Illegal Conduct
- Violation of Rule 3.12 Public Welfare
- Licensee(s) Failed to Appear (Guilty)
- 14-day Suspension + \$125 admin fee

#### Licensee(s) appeared before the Board on 11/6/2014 in reference to:

- Violation of Rule 3.02 Cooperation
- Board Rule 4.19 Storage
- Board Rule 4.20 Alterations
- Violation of Rule 3.02 Cooperation
- Violation of Rule 3.06 Sanitation (Dismissed)
- \$250 fine + \$125 admin fee
- \$375 total fine
- (d) License Transfer Date: The license transferred to the above named corporation on or about 6/22/2005.

#### **Board's Decision:**

#### 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

#### <u>NOTICE</u>

To: Carolina Tex-Mex Restaurant, LLC T/A Carolina Tex-Mex Restaurant 500 South Wolfe Street

Date: January 26, 2021

#### Licensee may be represented by Counsel before board

You are hereby notified to appear before the Board of Liquor License Commissioners for Baltimore City at 11 o'clock AM on the 11th day of February 2021, via WebEx Virtual Hearing, to show cause why your Alcoholic Beverages License and other permits issued by this Board to you under the provisions of the Alcoholic Beverages Article, as amended, should not be suspended or revoked as required by this Board by Section 4-604 of said Article, following your conviction and/or violation of said law, to wit:

**Location of Incident**: T/A Carolina Tex-Mex Restaurant, 500 South Wolfe Street, MD ("the establishment").

Violation of Rule 4.16 Illegal Conduct – October 6, 2020 – At approximately 10:30 PM, Baltimore City Liquor Board Inspector Walter Robinson and Inspector Cindy Tudhope responded to a 311 call for service (#20-00686651) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors parked their cars and observed the location for 10 minutes. After 10 minutes, the inspectors exited their vehicles and entered the establishment. Upon approach, the Inspectors could hear unreasonably loud music emanating from the establishment. After entering the establishment, Inspectors went to the second floor and observed a "drag show" taking place. The BLLC inspectors informed the bartender of the noise complaint and checked the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license. Upon review of the establishment's license it was determined that the location was not authorized to provide live entertainment. BLLC inspectors then informed the bartender that a violation would be issued for the loud noise and provision of live entertainment without authorization. The bartender instructed the performers to end the show and the BLLC left the scene.

Violation of Rule 3.12 General Welfare – October 6, 2020 – At approximately 10:30 PM, Baltimore City Liquor Board Inspector Walter Robinson and Inspector Cindy Tudhope responded to a 311 call for service (#20-00686651) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors parked their cars and observed the location for 10 minutes. After 10 minutes, the inspectors exited their vehicles and entered the establishment. Upon approach, the Inspectors could hear unreasonably loud music emanating from the establishment. After entering the establishment, Inspectors went to the second floor and observed a "drag show" taking place. The BLLC inspectors informed the bartender of the noise complaint and checked the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license. Upon review of the establishment's license it was determined that the location was not authorized to provide live entertainment. BLLC inspectors then informed the bartender that a violation would be issued for the loud noise and provision of live entertainment without authorization. The bartender instructed the performers to end the show and the BLLC left the scene.

Violation of Rule 4.14 (a) Live Entertainment – October 6, 2020 – At approximately 10:30 PM, Baltimore City Liquor Board Inspector Walter Robinson and Inspector Cindy Tudhope responded to a 311 call for service (#20-00686651) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors parked their cars and observed the location for 10 minutes. After 10 minutes, the inspectors exited their vehicles and entered the establishment. Upon approach, the Inspectors could hear unreasonably loud music emanating from the establishment. After entering the establishment, Inspectors went to the second floor and observed a "drag show" taking place. The BLLC inspectors informed the bartender of the noise complaint and checked the liquor license to determine if the establishment had the privilege of providing live entertainment attached to their license. Upon review of the establishment's license it was determined that the location was not authorized to provide live entertainment. BLLC inspectors then informed the bartender that a violation would be issued for the loud noise and provision of live entertainment without authorization. The bartender instructed the performers to end the show and the BLLC left the scene.

If you fail to appear at the WebEx Virtual Hearing as instructed by the agency, the board will proceed with the hearing and will take such action regarding the suspension or revocation of your license and permits as warranted by evidence. If you have any questions concerning the specific rules or code cited, please refer to Rules and Regulations for the Board of Liquor License Commissioners for Baltimore City or the Alcoholic Beverages Article of the Annotated Code of Maryland for reference purposes. If you have any questions or concerns regarding this matter please contact Deputy Executive Secretary, Nicholas T.R. Blendy at 410-396-4377.

BY ORDER OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY

Albert Matricciani, Jr., Chairman

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY

Back

#### **Board of Liquor License Commissioners**

For Baltimore City

1 North Charles Street, 15th Floor
Baltimore, Maryland, 21201

	,,,,
VIOL	ATION REPORT
Location Address:	500 WOLFE STREET SOUTH 21231
Licensee Information (Trade Name):	CAROLINA'S TEX-MEX RESTAURANT
Corporation Name	CAROLINA TEX-MEX RESTAURANT, LLC
License Type:	Class "B" Beer, Wine and Liquor
Contact:	Myra Bernal
Bouncer/Security Name (if applicable):	D.O.B.
Date Violation Issued:	10/6/2020 III 10:30:00 PM

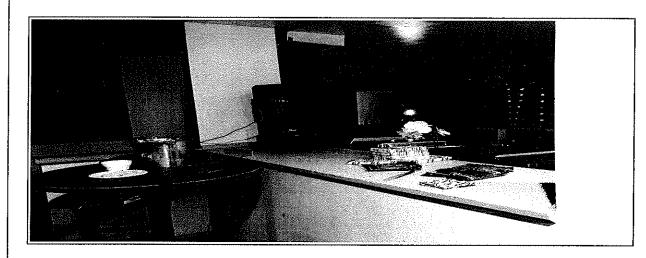
Violation Reporting Facts:

On October 6, 2020 at approximately 10:30pm, I (Inspector Robinson) and Inspector Tudhope responded to complaint number 2000686651 received for Carolina's Tex Mex located on 500 S. Wolfe St. The compaint was recieved at 10:00pm. Upon arrival Inspector
Tudhope and I sat observed the establishment for about 10 minuets. The music was determined to be loud and we went inside to the
second floor. Once we got upstairs we noticed a drag show taking place. We then informed the bartender about the noise compaint and
went to check the liquor license for live entertainment. The establishment did not have live entertainment on the license. The
bartender was informed about this and was advised that drag shows are considered to be live entertainment. We also informed the
bartender that a voilation was going to be written for both the noise and the drag show. The bartender turned off the music and asked
the preformers to leave.

Photos Taken:







# Attach Additional Photos Report Prepared By: Inspector(s) Submission Date i:0#.w|baltimere walter.farley-robins 10/27/2020

# **BLLC 311 Call Inspection**

Address: 500 WOLFE STREET SOUTH 21231

Trade Name: CAROLINA'S TEX-MEX RESTAURANT

Corporation Name CAROLINA TEX-MEX RESTAURANT, LLC

Type of License: Class "B" Beer, Wine and Liquor

Date/Time of Inspection: 10/27/2020 3:57:00 PM

Violation Issued: Yes

Photo Taken:







	Attach Additional Photos	
Comments:	Staff arrived and heard music from outside. Staff informed establishment of complaint and issued violation. Establishment was instructed to turn the music down. The complaint was found to be valid. Complainant was contacted. badge number 009,005	
Submitted by Inspector	i:O#.w baltimore\walter.farley-robins	Ç

Submit

SCEE Complaint L.

Reports

2000/04/07/855

2000800000

÷.

20-00686651

Standard

Closed

₹

SLA Status Priority Status

Service Reque... BCLB

# **BCLB-Liquor License Complaint**

2 Calendar Days

1817 EASTERN AVE, Balthm...

Fells Point Customer

Status

Service Activities

Action Activity

Complete Edit Service Response Service Questions

Business Answer residence or a commercial and/or licensed business? Name of business: concerning a private Is this issue Action Question Edi

What is the issue?

Edit

픃

Disturbing the peace/noise/koud music/front door open

Resolution Questions No records to display External Service Requests

No records to display

ko rosalba jorden, edeepuroka, walter farley-robinson, roberta guye, kenyettag washington, ... Open311 API Sike Guest User (Customer) to City of Baltimore Only sent an email. • O

BCLB-Liquor Utoense Complaint (20-00688651) service request has been created, updated, and/or requires your attention.

BCLB-Liquor License Complaint

20-00686851 Standerd

Service Request Number:

Priority; Method Received;

ocation:

Place Name: Location Details:

Description:

Carolinas Texmex

Service Request Type:

October 6, 2020 et 10:00 PM

Open311 API Site Guest User 2 Celendar Days

10/8/2020 10:00 PM 10/8/2020 10:00 PM

> Submitted On: Overdue On:

> > 1817 EASTERN AVE, Baltimore City, 21231

Constantly an lasue ......

Closed On:

Created By: SLA Detail:

+1 (443) 869-0104 Secondary Phone: Primary Phone: cmomorella@umanyland.edu Carty Momoretta contact Information:

Disturbing the pesco/notse/four music/front door open Cerolinas Texmex Answer Busineas is this issue concerning a private residence or a commercial and/or iconsed business? Service Questions: deme of business; What is the issue?

Finish Date Outcome Resson Очесоть Assigned To Status Not Started Activity Service Response Service Activities:

ကြာ Open311 API Site Guest User (Customer) charged Flex Summary. - မ

Open311 API Site Guest User (Customer) changed Service Request Owner (using assignment rule) from Baltimore 311 Admin to BCL8. - O

Open311 API She Guest User SACT-01935764 - 🖰

October 6, 2020 at 10:00 PM

October 6, 2020 at 10:00 PM

October 6, 2020 at 10:00 PM

Comment · Like



#### **Liquor Board System**

#### Version 1.0

Annual-Renewal ♥ | License-Transfer ♥ | One-Day ♥ | Add New License ♥ | Query ♥ | Help ♥

License Detail

Close the License

Print License

Print Renewal Letter

<< Go Back

License Info

License Num: LB 176

Cert Num: 0880 License Year: 2020

Fee: \$1,320.00 Status: Renewed

License Date:5/1/2020

CR Number: 11801326

Payment Date: \*\*\*\*

2019 - 2020 TPP Paid 🗌

2020 Trader's License

Update Info

Click to Start License Renewal

Add Adult Entertainment License

Add New Adult Entertainement License

#### Location

Corp Name: CAROLINA TEX-MEX RESTAURANT, LLC Trade Name: CAROLINA'S TEX-MEX RESTAURANT

Zone Code: 23

Phone: 410-276-0711

Block Num: 500

Street: WOLFE STREET SOUTH

City: BALTIMORE State: MD Zip: 21231

CR Number: 11801326

Portion of Business Used:

USE 1ST AND 2ND FLOOR OF PREMISES AS A RESTAURANT WITHOUT LIVE ENTERTAINMENT.

Restriction:

NO SALE OF PACKAGE GOODS, SERVICE AT TABLES ONLY, MUST OPERATE BONAFIDE RESTAURANT. LICNESE ISSUED SUBJECT TO THE BOARDS'S DECISION TO IMPOSE THE TERMS OF THE PROPOSED MOU BETWEEN LICENSEE(S) AND THE FELLS PROSPECT

COMMUNITY ASSOC Edit the License Location Info

Alternate Mailing Address

#### License Owners

First Name	Last Name	Street	City	State	Zip	Action	Change Owner
THOMAS W.	HAMRICK	2535 FAIT AVENUE	BALTIMORE	MD	21224	Edit	Remove Owner
YENYS CAROLINA	SILVA	7621 CEDAR POND LANE	BALTIMORE	MD	21237	Edit	Remove Owner

Date	Comment	Action
12/15/2020	PAID IN FULL \$225.00 for Violation Hearing dated November 05, 2020; Invoice #120219/mb	Delete
12/15/2020	****RELEASED STATE TAX HOLD ****/mb	Delete
12/08/2020	I called to the License and informed me that the check for the payment of Violation Fine fee was given to attorney Pete Prevase/mb	Delete
12/08/2020	Given a copy of Invoice to Chief Inspector John for Violation Hearing fee dated on November 5, 2020 Fine Fee to be paid \$325.00 /mb	Delete
12/08/2020	Given a copy of Invoice to Chief Inspector John for Violation Hearing fee dated on November 5, 2020 Fine Fee to be paid \$225.00 /mb	Delete
12/08/2020	11/19/20 given an Invoice to Chief Inspector John for Violation Hearing fee dated on November 5, 2020 Fine Fee to be paid \$225.00 /mb	Delete
11/10/2020	2019-2020 FOOD FORM WAS SUBMITTED; Gave to T. Akras /sb	Delete
11/06/2020	11/5/2020 - Virtual Public Hearing Re: Violation of Rule 3.12 General Welfare; and Violation of Rule 3.12 General Welfare - ADMISSION OF GUILT - Rule 3.12(8/16/2020)-Fined \$50; and Rule 3.12(8/31/2020)-Fined \$50; \$100 + \$125 admin fee = \$225 total fine, 30 days to pay (3-0 vote)/jr	Delete
11/05/2020	11/5/2020 Violation Hearing Penalty Assessment Notice mailed today to attorney Pete Prevas/jr	Delete
08/14/2020	lssued outdoor license extension starting from August 14,2020 until the governor had lifted his executive order; housing permit #TMP2020-50111k/r	Delete
01/28/2020	****STATE OF MD TAX HOLD, letter sent to the Business address on January 28, 2020.****/mb	Delete
10/25/2019	Personal Property Tax Owed to City of Baltimore was cleared and the system shows shat the business is in Good Standing on October 24, 2019/mb.	Delete
09/27/2019	***PERSONAL PROPERTY TAX OWED TO CITY OF BALTIMORE Letter sent to Licensee/s Home Address on September 27, 2019.*** /mb	Delete
04/04/2019	04/03/19 COMPLETED TRANSFER TO LOCATION 500 S. WOLFE STREET; INVOICE #115473/sb	Delete
04/03/2019	****RELEASED STATE TAX HOLD ****/mb	Delete
02/25/2019	2/21/2019 - Public Hearing RE: Application to transfer location of a Class "B" Beer, Wine & Liquor License presently located at 505 S. Broadway to 500 S. Wolfe Street - APPROVED (2-1 vote)/jr	Delete
01/25/2019	***STATE OF MD TAX HOLD, letter sent to Licensee on January 25, 2019.***/sb	Delete
12/17/2018	12/13/2018 - Public Hearing RE: Application to transfer location of a Class "B" Beer, Wine & Liquor License presently located at 505 S. Broadway to 500 S. Wolfe Street - THE BOARD HAS POSTPONED THIS MATTER UNTIL AN MOU HAS BEEN DRAFTED AND WILL BE RESCHEDULED FOR A FUTURE HEARING DATE. (3-0 vote)/jr	Delete
	11/1/2018 - Public Hearing RE: Application for transfer of a Class "B" Beer, Wine & Liquor License presently located at 505 S. Broadway to 500 S. Wolfe Street - Attorney Harry Prevas requested a Postponement - GRANTED * This matter will be scheduled for a future hearing date */jr	Delete
10/01/2018	9/27/2018 - Public Hearing RE: Application for transfer of location from 505 S. Broadway to 500 Wolfe Street - POSTPONED/jr	Delete
	Application for transfer of location from 505 S. Broadway to 500 Wolfe Street filed on behalf of Carolina Tex-Mex Restaurant, LLC T/a Carolina Tex-Mex Restaurant, Yenys Silva and Thomas Hamrick on 7/5/17 (re-advertised without live entertainment in August 2018 Ad) /kk	Delete
02/07/2018	******RELEASED STATE OF MD TAX HOLD******/sb	Delete
02/02/2010	****STATE OF MD TAX HOLD, letter sent to Licensee (Thomas W. Hamrick(2535 Fait Ave." and Yenys Carolina Silva(7621 Cedar Pond Ln)) Home Address on February 2, 2018.****/mb	Delete
	State Tax Hold Letter mail was returned to the sender on 01/29/18 "Unable to Forward, Not Known"/mb	Delete
01/24/2018	***STATE OF MD TAX HOLD, letter sent to Licensee on January 23, 2018.***/mb	Delete
07/14/2017	Application fee for Application for transfer of ownership and location from 505 S. Broadway to 500 Wolfe Street requesting live entertainment filed on behalf of Carolina Tex-Mex Restaurant, LLC T/a Carolina Tex-Mex Restaurant, Yenys Silva and Thomas Hamrick was processed under the wrong address (504 S Broadway) see INVOICE # 108272 - application fee was PAID- S.R	Delete
07/12/2017	Application for transfer of ownership and location from 505 S. Broadway to 500 Wolfe Street requesting live entertainment filed on behalf of Carolina Tex-Mex Restaurant, LLC T/a Carolina Tex-Mex Restaurant, Yenys Silva and Thomas Hamrick on 7/5/17 /kk	Delete
05/31/2017	Per e-mail from licensee (Y. Silva), this establishment closed on 5-25-17. Copy of e-mail in Parent File - Mailed out letter about license expiring in 180 days /kk	Delete
	05/19/17 - PAID returned checks fees: Invoice #107960 = \$1,000.00, #107961 = \$1,000.00,	-

05/22/2017	#107962 = \$20.00, #107963 = \$30.00 (check fee) /sb	Delete
05/19/2017	Given letter hand-delivered to Chief Inspector, M. Fosler to suspend Liquor License for NSF in the amount of \$2,020.00 (2017-2018 Annual License Fee) + \$30.00 (Processing NSF Fee) /sb	Delete
05/01/2017	RELEASED STATE TAX HOLD /sb	Delete
03/30/2017	*****RELEASED STATE OF MD TAX HOLD***** /sb	Delete
10/14/2016	PAID \$625.00 fine for Violation Hearing dated on 09/22/16; Invoices #104255 = \$200.00, #104256 = \$200.00 & #104257 = \$225.00 /sb	Delete
09/23/2016	9/22/2016- PUBLIC HEARING RE: [Violation of Alc. Bev. Art.§ 4-505(f)(1)(iii) – Failure to present Up-to-Date Valid Certificate] , [Violation of Rule 4.08(a) Relations with Wholesalers] GUILTY \$500 FINE + \$125 ADMIN FEE - \$625 TOTAL FINE 3 DAY SUSPENSION ** 30 DAYS TO PAY	Delete
08/16/2016	Alcohol Awarness Course ( Pedro Silva ) expires on 08/11/2020 John S. Murray	Delete
05/16/2016	Received a copy of a request for writ of execution against the licensee. The writ was served on 5/12/2016. The licensee cannot serve alcoholic beverages until they satisfy the wirt of execution or we receive an order from the Court releasing the license to the licensee. On 5/13/2016 Motion to Vacate was filed, but no ruling. Copy of Writ in the file. TRA.	Delete
05/13/2016	Duplicate copy of license issue by request of licensee due damage of license	Delete
05/12/2016	Paid for NSF check fees: Invoices #103420=\$500.00; #103422=\$500.00; #103423=\$500.00; #103424=\$500.00; #103425=\$50.00 /sb	Delete
03/28/2016	FOOD FORM WAS ATTACHED TO 2016 RENEWAL APPLICATION	Delete
	10/13/15 License in file for Suspension	Delete
05/21/2015	Jenny came in and paid \$2020.00 for NSF, Invoice #98854. Will be giving back license today by J.Howard /sb	Delete
03/19/2013	I tried contacting merchant, about insufficient funds (bad check) the party on the end she's unable to comprehend English. I asked her to speak with manager, she did not understand. Made copies of documents and given to Chief Shelton Jones to retrieve monies owe to Liquor Board /sb	Delete
11/21/2014	11/20/2014Public Hearing re: Request to add outdoor table service , live entertainment ; request to remove restriction" No Bar" from license. APPROVED \$100 Admin Fee PAID	Delete
	11/06/2014 Public Hearing re: Violation of Rule 3.02, Violation of Rule 4.19, Violation of Rule 4.20, Violation of Rule 3.02 & Violation of Rule 3.06 . \$250 Fine + \$125 admin Fee \$375 Total (1 week to pay)	Delete
12/03/2010	12/3/10 \$125 PAID IN LIEU OF (12/9/10) HEARING #75419	Delete
06/20/2005	6/2005 Application filed to transfer ownership to Yenys Carolina Silva & Thomas W. Hamrick, Carolina Tex Mex Restaurant, LLC t/a Carolina's Tx-Mex Restaurant	Delete
03/01/2004	9/11/97 Public Hearing re:Application to transfer Ownership of 1 the class"B" Beer,Wine & liquor license at this location where 1 the premises has been closed for 90 days.APPROVED BASED ON THE 1 PUBLIC NEED & ACCOMENDATION.	Delete

Print History (Print Card)

License num: LB 1/6	Address: 500 WOLFE STREET SOUT

Trade Name: CAROLINA'S TEX-MEX RESTAURANT

Comment:			
<u> </u>		 	
	Add Comment		

**Hold Info** 



## CAROLINA TEX-MEX RESTAURANT, L.L.C.: W10270759

Business Name: CAROLINA TEX-MEX RESTAURANT, L.L.C.  Principal Office: 500 S WOLFE ST BALTIMORE MD 21231
Resident Agent: PEDRO C SILVA 7621 CEDAR POND LN ROSEDALE MD 21231
Status: REVIVED
Good Standing: THIS BUSINESS IS NOT IN GOOD STANDING
Reason(s) Entity is NOT in Good Standing: Annual Report Due For 2020
Business Type: DOMESTIC LLC
Business Code: 20 ENTITIES OTHER THAN CORPORATIONS
Date of Formation/ Registration: 10/20/2004
State of Formation:
Stock Status: N/A
Close Status: N/A

Department ID Number:

W10270759

#### February 11, 2021

Licensee(s):

**David Tobash** 

Soldi Fossa, LLC, T/a The Chasseur 3326-28 Foster Avenue 21224

Class:

"BD7" Beer. Wine & Liquor License

Violation of Rule 4.16 Illegal Conduct – December 18, 2020 – At approximately 9:45 PM, the Social Club Task Force, which consisted of members of the Baltimore City Police Department, Fire Department, Health Department, Department of Housing and Community Development, and the BLLC responded to the location to determine if the establishment was operating in violation of Mayor Brandon Scott's Executive Order issued December 11, 2020, which prohibited any on-premises consumption of alcoholic beverages. Upon arrival, Inspector Cindy Tudhope and Det. L.C. Greenhill proceeded up the rear exterior staircase to the third floor of the establishment. Upon reaching the rear entrance on the third floor, Inspector Tudhope peered into a window and observed a large crowd of individuals inside of the establishment. Upon entering the establishment, Inspector Tudhope observed individuals seated at the bar area consuming alcoholic beverages. Inspector Tudhope also observed that few patrons were wearing masks within the establishment. Members of the Social Club Task Force contacted the manager Mr. Brian Dennis and license Mr. David Tobash, both of whom were on the premises. At that time, BLLC Inspector Tudhope informed Mr. Tobash and Mr. Dennis that the establishment was in violation of Mayor Scott's Executive Order and instructed them to clear the establishment of patrons. Inspector Tudhope counted 18 patrons exiting the establishment while it was being cleared. After the establishment was cleared, the BLLC issued a violation and left the establishment.

Violation of Rule 3.12 General Welfare – December 18, 2020 – At approximately 9:45 PM, the Social Club Task Force, which consisted of members of the Baltimore City Police Department, Fire Department, Health Department, Department of Housing and Community Development, and the BLLC responded to the location to determine if the establishment was operating in violation of Mayor Brandon Scott's Executive Order issued December 11, 2020, which prohibited any on-premises consumption of alcoholic beverages. Upon arrival, Inspector Cindy Tudhope and Det. L.C. Greenhill proceeded up the rear exterior staircase to the third floor of the establishment. Upon reaching the rear entrance on the third floor, Inspector Tudhope peered into a window and observed a large crowd of individuals inside of the establishment. Upon entering the establishment, Inspector Tudhope observed individuals seated at the bar area consuming alcoholic beverages. Inspector Tudhope also observed that few patrons were wearing masks within the establishment. Members of the Social Club Task Force contacted the manager Mr. Brian Dennis and license Mr. David Tobash, both of whom were on the premises. At that time, BLLC Inspector Tudhope informed Mr. Tobash and Mr. Dennis that the establishment was in violation of Mayor Scott's Executive Order and instructed them to clear the establishment of patrons. Inspector Tudhope counted 18 patrons exiting the establishment while it was being cleared. After the establishment was cleared, the BLLC issued a violation and left the establishment.

- (a) Service on Licensee(s): Summons issued to the licensee(s) on 1/26/2021.
- (b) **Witnesses Summonsed:** Summons issued to Inspector Tudhope, Inspector Jordan, and Chief Inspector Chrissomallis on 1/26/2021. Summons issued to Baltimore City Police Dept.: Det. Greenhill on 1/26/2021.
- (c) Violation History of Current Licensee: The current licensee(s) have no history of violations:
- (d) License Transfer Date: The license transferred to the above named entity on 1/8/2014.

**Board's Decision:** 

#### 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

#### **NOTICE**

To: Soldi Fossa, LLC T/A The Chasseur 3326-28 Foster Avenue Date: January 26, 2021

#### Licensee may be represented by Counsel before board

You are hereby notified to appear before the Board of Liquor License Commissioners for Baltimore City at 11 o'clock AM on the 11th day of February 2021, via WebEx Virtual Hearing, to show cause why your Alcoholic Beverages License and other permits issued by this Board to you under the provisions of the Alcoholic Beverages Article, as amended, should not be suspended or revoked as required by this Board by Section 4-604 of said Article, following your conviction and/or violation of said law, to wit:

Location of Incident: T/A The Chasseur, 3326-28 Foster Avenue, MD ("the establishment").

Violation of Rule 4.16 Illegal Conduct - December 18, 2020 - At approximately 9:45 PM, the Social Club Task Force, which consisted of members of the Baltimore City Police Department, Fire Department, Health Department, Department of Housing and Community Development, and the BLLC responded to the location to determine if the establishment was operating in violation of Mayor Brandon Scott's Executive Order issued December 11, 2020, which prohibited any on-premises consumption of alcoholic beverages. Upon arrival, Inspector Cindy Tudhope and Det. L.C. Greenhill proceeded up the rear exterior staircase to the third floor of the establishment. Upon reaching the rear entrance on the third floor, Inspector Tudhope peered into a window and observed a large crowd of individuals inside of the establishment. Upon entering the establishment, Inspector Tudhope observed individuals seated at the bar area consuming alcoholic beverages. Inspector Tudhope also observed that few patrons were wearing masks within the establishment. Members of the Social Club Task Force contacted the manager Mr. Brian Dennis and license Mr. David Tobash, both of whom were on the premises. At that time, BLLC Inspector Tudhope informed Mr. Tobash and Mr. Dennis that the establishment was in violation of Mayor Scott's Executive Order and instructed them to clear the establishment of patrons. Inspector Tudhope counted 18 patrons exiting the establishment while it was being cleared. After the establishment was cleared, the BLLC issued a violation and left the establishment.

Violation of Rule 3.12 General Welfare – December 18, 2020 – At approximately 9:45 PM, the Social Club Task Force, which consisted of members of the Baltimore City Police Department, Fire Department, Health Department, Department of Housing and Community Development, and the BLLC responded to the location to determine if the establishment was operating in violation of Mayor Brandon Scott's Executive Order issued December 11, 2020, which prohibited any on-premises consumption of alcoholic beverages. Upon arrival, Inspector Cindy Tudhope and Det. L.C. Greenhill proceeded up the rear exterior staircase to the third floor of the establishment. Upon reaching the rear entrance on the third floor, Inspector Tudhope peered into a window and observed a large crowd of individuals inside of the establishment. Upon entering the establishment, Inspector Tudhope observed individuals seated at the bar area consuming alcoholic beverages. Inspector Tudhope also observed that few patrons were wearing masks within the establishment. Members of the Social Club Task Force contacted the manager Mr. Brian Dennis and license Mr. David Tobash, both of whom were on the premises. At that time, BLLC

Inspector Tudhope informed Mr. Tobash and Mr. Dennis that the establishment was in violation of Mayor Scott's Executive Order and instructed them to clear the establishment of patrons. Inspector Tudhope counted 18 patrons exiting the establishment while it was being cleared. After the establishment was cleared, the BLLC issued a violation and left the establishment.

If you fail to appear at the WebEx Virtual Hearing as instructed by the agency, the board will proceed with the hearing and will take such action regarding the suspension or revocation of your license and permits as warranted by evidence. If you have any questions concerning the specific rules or code cited, please refer to Rules and Regulations for the Board of Liquor License Commissioners for Baltimore City or the Alcoholic Beverages Article of the Annotated Code of Maryland for reference purposes. If you have any questions or concerns regarding this matter please contact Deputy Executive Secretary, Nicholas T.R. Blendy at 410-396-4377.

BY ORDER OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY

Albert Matricciani, Jr., Chairman

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY

#### **Board of Liquor License Commissioners**

For Baltimore City

1 North Charles Street, 15th Floor
Baltimore, Maryland, 21201

#### VIOLATION REPORT

Location Address:	3326-28 FOSTER AVENUE 21224 ~
Licensee Information (Trade Name):	THE CHASSEUR
Corporation Name	SOLDI FOSSA, LLC
License Type:	Class "BD7" Beer, Wine and Liquor
Contact:	
Bouncer/Security Name (if applicable):	D.O.B.
Date Violation Issued:	12/18/2020 9:45:00 PM

Violation Reporting Facts:

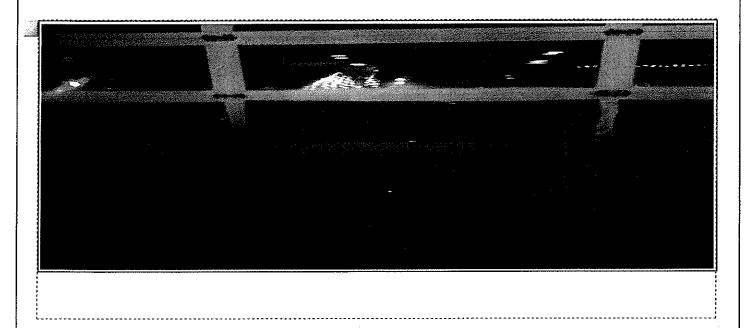
On December 18, 2020 at approximately 09:45PM The Social Club Task Force that included members of BPD Vice, Baltimore City Health Department, Baltimore Housing, Baltimore Fire Department and BLLC responded to The Chasseur located at 3328 Foster Ave, To conduct a joint inspection and to investigate a recent Anonymous complaint received to the Baltimore Liquor Board that establishment was opens and operating on the third floor and was allowing customers through the rear entrance located on 3rd floor up the rear staircase and had covered their windows to make it hard to see Inside and was in violations of Mayor Scott's Mayoral Executive Order of no indoor consumption. Upon arrival, I Inspector Tudhope, and LC Greenhill proceeded up the rear staircase of the establishment to the 3rd floor, other members of the task force Including Chief Chrissomallis and Inspector Jordan proceeded to the interior of the establishment through front door and up to 3rd floor. Upon reaching 3rd floor, I Inspector Tudhope, looked through the window in the door and saw that there was a large crowd inside, once inside inspector observed beer and wine glasses on the bar area as well as people consuming them, inspector observed only a few people wearing a mask at this time. Inspector Tudhope and Taskforce members made contact with a Mr. Brian Dennis D.O.B 7. 1970, who stated he was Manager and part owner as well as a Mr. David Tobash the Licensee that did not have any form of identification on him. I, Inspector Tudhope, counted 18 Patrons leaving the establishment. The task force informed Mr. Dennis of the violation and left the establishment without any further incidents.

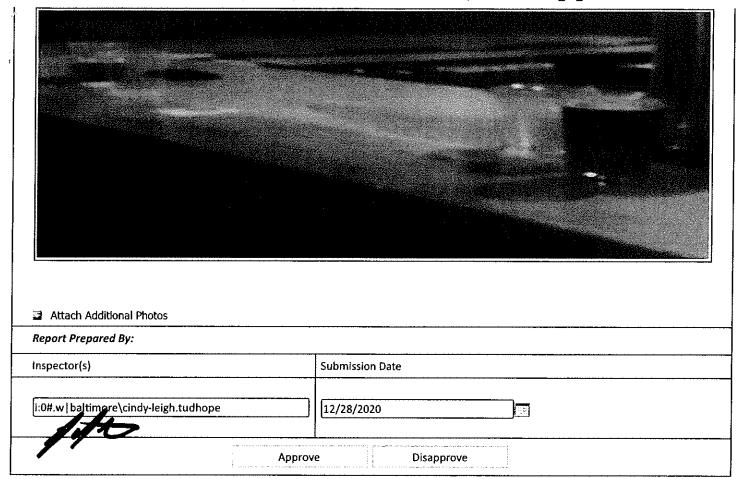
Photos Taken:

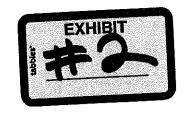












# MAYORAL EXECUTIVE ORDER RESTRICTING GATHERINGS AND INDOOR AND OUTDOOR DINING Effective December 11, 2020

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by the Governor of Maryland on March 5, 2020 and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, August 10, 2020, September 8, 2020, October 6, 2020 and October 29, 2020, to control and prevent the spread of COVID-19 within the state, and the state of emergency and the catastrophic health emergency still exists;

WHEREAS, on March 19, 2020, Mayor Bernard "Jack" C. Young of Baltimore City declared a State of Emergency for Baltimore City due to the spread of COVID-19, which is still in place;

WHEREAS, COVID-19 is an infectious and highly contagious respiratory disease that continues to pose serious health risks for the citizens of Baltimore City, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions:

WHEREAS, pursuant to the Summary of Guidance for Public Health Strategies to Address High Levels of Community Transmission of SARS-CoV-2 and Related Deaths, December 2020 issued by the Center for Disease Control, the currently known and available scientific evidence and best practices support universal use of face masks, physical distancing and limiting contacts, avoiding non-essential indoor spaces and crowded outdoor settings among other things;

WHEREAS, in response to a new surge in COVID-19 throughout Maryland and evidence of widespread community transmission, on November 17, 2020 Governor Hogan issued Order Number 20-11-17-01 reinstituting certain restrictions for individuals and businesses ("Order No. 20-11-17-01"):

WHEREAS, Order No. 20-11-17-01 authorizes political subdivisions such as Baltimore City to issue local orders that are more restrictive than Order No. 20-11-17-01, such as those requiring any businesses, organizations, establishments, or facilities to close or modify their operations and/or requiring individuals to remain

indoors or to refrain from congregating, if deemed necessary and reasonable to save fives or prevent exposure to COVID-19:

WHEREAS, between October 12, 2020 and November 29, 2020, the 7-day averages for rate of new COVID-19 cases per 100,000 increased 33.7% among Baltimore City residents and for percent positivity for COVID-19 tests among city residents increased by 294%;

WHERFAS, for the period October 2, 2020 through December 6, 2020, the number of COVID-19 patients in acute care beds increased 363% and the number of COVID-19 patients in ICU beds increased 520% in Baltimore City hospitals:

WHEREAS, between September 30, 2020 and December 3, 2020 the daily number (7-day average) of COVID-19 admissions to city hospitals increased by 314%:

NOW THEREFORE, I. Brandon M. Scott, Mayor of the City of Baltimore, in consultation with the Commissioner of Health for Baltimore City and by virtue of the authority vested in me by the Charter and laws of Baltimore City and pursuant to the authority granted to local jurisdictions in Order No. 20-11-17-01, and to save lives and prevent further exposure to the COVID-19 virus within Baltimore City and the State of Maryland, do hereby proclaim and order on this 9th day of December, 2020:

#### L. Administrative Provisions

A. This Mayoral Order rescinds all prior becautive orders related to COVID-19 and specifically the Orders effective dated May 15, 2020, May 29, 2020, Jane 8, 2020, June 12, 2020, June 22, 2020, June 29, 2020, July 22, 2020, August 3, 2020, August 7, 2020, September 8, 2020 and November 12, 2020 however, residents should continue to stay at home and continue to work from home when possible Older and more vulnerable residents, and those who live with them, are should advised to stay home whenever possible.

B. Residents and visitors should practice safe physical distancing, comply with the Health Commissioner Updated Directive and Order Regarding Lace Coverings in Public dated November 6, 2020 (the "Updated Masking Order") and frequently wash their hands and sanitize high-touch areas. I imployers should continue to encourage telework for their employees when possible.

#### H. Gatherings

Gatherings (defined as "an indoor or outdoor assembly or recetting, especially a social or festive one or one for a specific purpose"). Gatherings include not ore not limited to a celebration, event, party, cookout, parade, or a festival.

- A. Indoor gatherings at public and private facilities, private homes and any public space are limited to no more than 10 persons; provided however, there must be sufficient space for persons to remain socially distant.
- B. Outdoor gatherings at public and private facilities, private homes and any public space are limited to no more than 25 persons; provided however, there must be sufficient space for persons to remain socially distant.
- C. Sports gatherings at facilities controlled by the Baltimore City Department of Recreation and Parks are prohibited in accordance with guidance from Baltimore City Recreation and Parks in consultation with the Mayor and the Health Commissioner.

#### III. Religious Facilities

- A. Churches, synagogues, mosques, temples, and other similar religious tactifics of any faith in Baltimore City ("Religious bacilities") may open to the general public, provided, however, the total number of persons permitted in a religious facility at any one time shall not exceed 25% of that religious facility's Maximum Occupancy (defined below).
- B. Religious Facilities shall make every effort to clean the facility between each use, shall require facial covering and shall encourage social distancing.

#### IV. Retail Establishments and Malls.

A. Retail businesses, organizations, establishments, and facilities in the City of Baltimore ("Retail Establishments") may open to the general public, provided, however, that the total number of persons permitted in a Retail Establishment at any one time shall not exceed 25% of that Retail Establishment's Maximum Occupancy (defined below).

B. Shopping centers in the City of Baltimore that have one or more enclosed pedestrian concourses may open to the general public not to exceed 15' capacity at any one time.

C. Businesses with a BD7 or D tavern likewise and with a separate packaged goods section that was in operation prior to March 5, 2020, may operate under and subject to this section IV.

#### V. Indoor Recreational Establishments.

A. Indoor recreational establishments in Baltimore City identified or similar to those listed below ("Indoor Recreational I stablishments") must close effective 5p.m., December 11, 2020:

- 1. binge halls:
- 2. bowling alleys:
- 3, pool halls:
- 4. roller and ice skating rinks:
- 5. social and fraternal clubs (including without limitation. American Legion posts, VFW posts, and Elks Clubs) ("Social Clubs"); and
- 6. Indoor Pools:
- 7. Cigar and Hookah establishments: and
- 8. Adult entertainment venues.

#### VI. Outdoor Recreational Establishments.

- A. Outdoor recreational establishments in Baltimore City identified or similar to those listed below ("Outdoor Recreational Establishments") may operate, subject to applicable State Orders and Secretary's Directives, but shall not exceed 25% of that facility's Maximum Occupancy (defined below)
  - 1. golf courses and driving ranges:
  - 2. outdoor archery and shooting ranges:
  - 3. marinas and watercraft rental businesses:
  - 4, campgrounds:
  - 5. horse boarding and riding facilities:
  - 6. outdoor day camps; and

7, tour boats reveept for dining or beverage service which are probable at 1972. Section VII below i.

#### VII. Foodservice Establishments

A. All restaurants, bars, nightclubs, adult entertainment, broweries, to mount dining, and other similar establishments that sell food or beverages for consumption outpremises and Social Clubs or facilities of any kind with during facilities (collectively, "Foodservice I stablishments") shall remain object to outpremises indoor and outdoor service. Foodservice I stablishments may, to the extent permitted by applicable law:

- 1. sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis; and
- 2. deliver food and beverages to customers off the premises.

#### VIII. Fitness Centers

A. Fitness centers, health clubs, health spas, gyms, aquatic centers, and self-defense schools in Baltimore City ("Fitness Centers") may open for individual fitness activities; provided, however, the total number of persons permitted in a fitness center at any one time shall not exceed 25% of that fitness center s. Maximum Occupancy (defined below). Group fitness activities are probabled and patrons shall abide by the Updated Masking Order.

#### IX. Casinos

A. Casinos in Baltimore City are prohibited from providing food and beverage service but may continue their gaming operation; provided however, the total number of persons permitted in the Casino at any one time shall not exceed 25% of that Casino's Maximum Occupancy (defined below).

#### X. Personal Services

A. Subject to applicable State Orders. Secretary's Directives and paragraph B. and C. below, establishments in Baltimore City identified or similar to those listed below ("Personal Services Establishments") may open to the general public but shall not exceed 25% of that facility's Maximum Occupancy (defined below).

- Libeauty salons:
- 2. burber shops:
- i, tattoo parlors:
- 4. tanning salons:
- 5, massage parlors; and
- 6. establishments that provide esthetic services or provide nail technician services (as described in Title 5 of the Business Occupations Article of the Maryland Code).
- B. All customers over the age of two are required to comply with the Updated Masking Order while inside any Personal Services Establishment.
- C. Personal Services Establishments shall:
  - 1. require staff to wear Face Coverings at all firms while indoors:
  - 2. provide services on an appointment basis only and keep a log of each customer's name and that of anyone who accompanied them to the appointment and the name of the person who provided their services, and
  - after providing services to each customer, clean and disinfect the area at which services were performed in accordance with applicable gardelines from the CDC, MDH, and the Baltimore City Health Department

#### XI. Other Businesses.

A. Except as otherwise closed by this Order or other Mayoral or Governor's Order and subject to applicable Local Health Commissioner's Orders and Secretary's Directives and the provisions contained herein, businesses, organizations, establishments, and facilities that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security. Agency (currently described at <a href="https://www.cisa.gov/identifying-critical-infrastructure-doping-covid-19">https://www.cisa.gov/identifying-critical-infrastructure-doping-covid-19</a>) may open at 25% of maximum capacity (defined below) to the general public.

#### XII. Miscellaneous Cultural Venues / Family Attractions.

A. Libraries may continue to operate with curbside pickup service.

B. Museums, Zoos and Aquariums may open to the general public but shall not exceed 25% of that facility's Maximum Occupancy (defined below).

#### XIII. Theaters and Outdoor Entertainment Venues.

A. Indoor and outdoor theaters and performance venues shall close. Live performances and live streamed performances from any venue not permitted to operate under this Executive Order are prohibited.

# XIV. Businesses, Organizations, Establishments, and Facilities Required to Close.

A. Senior Centers. All senior citizen activities centers (as defined in Section 131-501(i) of the Human Services Article of the Maryland Code) shall remain closed.

- 1.Staff and owners may continue to be on-site at any business, organization, establishment, or facility that is required to be closed pursuant to this Oracl for only the following purposes:
  - i. Facilitating remote working (a k a telework) by other start;
  - ii. Maintaining essential property:
  - iii. Preventing loss of, or damage to property, including without limitation, preventing spoilage of perishable inventory:
  - iv. Performing essential administrative functions, including without limitation, picking up mail and processing payroll:
  - v. Caring for live animals; and
- vi. Activities related to the pandemic response such as testing and vaccinations.
- B. Closure by Other Order. All businesses, organizations, establishments, and facilities that are required to close pursuant to any other Order of the Governor of the State of Maryland or any other Order of a political subdivision, shall be and remain closed in accordance with such other Order, as the case may be
- C. City issued permits will not be issued until further notice.

# XV. Government Buildings and Facilities with Large Occupancy or Attendance.

A. State and local government buildings and facilities with an expected occupancy or attendance of more than 10 people shall:

- 1. Promptly and conspicuously post in the building or facility a copy of the MDH recommendations for social distancing; and
- 2. Provide all occupants and attendees with the capability to wash their hands.
- B. A copy of this Order shall be made available to all occupants or attendees at any State or local government building and facility with an expected occupancy of attendance of more than 10 people.

#### XVI. Definitions.

- A. "Maximum Occupancy" means:
  - 1. 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
  - 2. If no such certificate has been issued for the Facility by the local fire code official, the maximum occupancy of the Facility pursuant to applicable law regulations, and permits.

#### XVII. Face Coverings.

A. The use of face coverings is required as more fully set forth in the Updated Masking Order.

#### XVIII. General Provisions

- A. All businesses, organizations, establishments, and facilities that are permitted to be open under this Mayoral Order shall comply with:
  - 1. applicable Local and Governor's Orders:
  - 2. applicable Directives issued by the Maryland Secretary of Health:
  - 3. applicable social distancing guidance published by the CDC and the Maryland Department of Health; and

- 4. orders issued by the applicable Local Health Officer Mayor.
- B. Each law enforcement officer of the State of a political subdivision stall execute and enforce Order No. 20-11-17-01 and this Local Order parsuant to the terms of Order No. 20-11-17-01, which provides that a person who have may be willfully violates this Order or any Local Order is guilty of a misdemeanor and one conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.
- C. In accordance with the Governor's Order allowing for local decision making, the Mayor reserves the right to rescind any or all parts of this Order or issue a new order revising this mayoral order, in the event that this Order is not complied with or if it is in the public health interest of the citizens of Baitimore City to issue additional restrictions.
- D. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, superseded, amended, or revised by additional orders.
- b. The effect of any statute, rule, or regulation of an agency of the State of a pointical subdivision inconsistent with this order is hereby suspended to the extent of the inconsistency.
- I'. The hold paragraph headings in this Order are for convenience of research only and shall not affect the interpretation of this Order.
- G. It any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. Fo achieve this purpose, the provisions of this Order are severable.

This Executive Order shall take effect Friday, December 11, 2020 at 5:00 p.m.

IN WITNESS WHEREOF THAVE HEREUNTO PLACED MY HAND AND THE GREAT SEAL OF THE CITY OF BALTIMORE

THIS 9th DAY OF December, 2020

ATTEST:

CUSTODIAN OF THE CITY SEAL.

BRANDON M. SCOTT, MAYOR. CITY OF BALTIMORF

APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE BALLIMORE CITY LAW DEPARTMENT

DANA P. MOORL

ACTING CITY SOLICITOR

Marie Williams



#### **Liquor Board System**

Version 1.0

Annual-Renewal ▼ | License-Transfer ▼ | One-Day ▼ | Add New License ▼ | Query ▼ | Help ▼

License Detail

Close the License

Print License

Print Renewal Letter

<< Go Back

License Info

License Num: LBD7 134

Cerl Num: 0704

Fee: \$1,320.00

Status: Renewed

License Date:5/1/2019

License Year: 2019

CR Number: 15268259

Payment Date: 05-01-19

2018 - 2019 TPP Paid

2019 Trader's License

Update Info

Click to Start License Renewal

Add Adult Entertainment License

Add New Adult Entertainement License

Location

Corp Name: SOLDI FOSSA, LLC Trade Name: THE CHASSEUR

Zone Code: 12

Phone: 410-327-6984

Block Num: 3326-28

Street: FOSTER AVENUE

City: BALTIMORE

State: MD

Zip: 21224

CR Number: 15268259

Portion of Business Used:

EXPANSION OF EXISTING RESTAURANT TO INCLUDE 3RD FLOOR.(USE)PORTION OF PREMISES (OUTDOOR SIDEWALK) FOR OUTDOOR TABLE SERVICE IN CONJUNCTION WITH Restification BAR RESTAURANT AS PER BMZ2014-52 APPROVED WITH CONDITIONS FOR NOT

> Edit the License Location Info Alternate Mailing Address

#### **License Owners**

First Name	Last Name	Street	City	State	Zip	Action	Change Owner
1	TOBASH		BALTIMORE	MD	21224	Edit	Remove Owner

#### Comments

Date	Comment	Action

03/10/2020	*****RELEASED STATE OF MD TAX HOLD***** /mb	Delete
	****STATE OF MD TAX HOLD, letter sent to the Business address on January 28, 2020.****/sb	Delete
10/15/2019	Personal Property Tax Owed to City of Baltimore was cleared as per the email received from Law Department on October 15, 2019/mb.	Delete
09/26/2019	IA adress on September 26, 2019.*** /mb	Delete
05/01/2019	Requested an Outdoor Extension for Saturday, May 04, 2019. Permit #ROW2019-SE 1022483; Invoice #116768 /sb	Delete
04/10/2019	*****RELEASED STATE OF MD TAX HOLD***** /sb	Delete
03/19/2019	****STATE OF MD TAX HOLD Letter sent to the business address***** /mb	Delete
04/26/2018	*****RELEASED STATE OF MD TAX HOLD***** /sb	Delete
	Personal Property Tax was cleared as per the new updated list received from Law Department on January 16, 2018/mb	Delete
01/25/2018	*****STATE OF MD TAX HOLD, letter sent to Licensee on January 23, 2018.***** /sb	Delete
	Requested for an Expansion of Existing Restaurant/Tavern to include 3rd Floor: Invoice #108635 /sb	Delete
09/15/2017	Fire Marshall, M.Hineline, called; Everything is ok-passed inspection /sb	Delete
04/03/2017	3/30/17 - Request to expand premises to include 3rd floor- GRANTED (3-0 vote)	Delete
05/02/2016	****** RELEASED STATE TAX HOLD ****** /sb	Delete
03/15/2016	*****STATE TAX HOLD FOR RENEWAL 2016*****	Delete
06/25/2015	OUTDOOR TABLE SERVICE ADD	Delete
	04/03/2014 Public Hearing re: Request to add outdoor table service. Baord approved outdoor table service contingent upon BMZA approval	Delete
07/23/2013	7/18/2013 Application to transfer location of a Class "BD7" BWL presently located at 5847 York Road to 5800 York Road	Delete
	7/18/2013 Application to transfer ownership; request for outdoor table service. Board GRANTED transfer; DENIED request for outdoor table service	Delete
	11/11 Transfer of ownership, BD7-BWL, Bang Warren, Collin Warren, Crossroads Bar & Restaurant, LLC	Delete

Print History (Print Card)

License num: LBD7 134	Address: 3326-28 FOSTER AVENUE

Trade Name: THE CHASSEUR

Comment:		
	Add Comment	

**Hold Info** 



### SOLDI FOSSA, LLC: W15278872

Department ID Number:
W15278872
Business Name:
SOLDI FOSSA, LLC
Principal Office:
3328 FOSTER AVENUE
BALTIMORE MD 21224
Resident Agent:
NATALIE FOSTER
3242 FOSTER AVE
BALTIMORE MD 21224
Status:
REVIVED
Good Standing:
THIS BUSINESS IS <b>NOT IN GOOD STANDING</b>
Reason(s) Entity is NOT in Good Standing:
Annual Report Due For 2020
Business Type:
DOMESTIC LLC
Business Code:
20 ENTITIES OTHER THAN CORPORATIONS
Date of Formation/Registration:
06/04/2013
State of Formation:
MD
Stock Status:
N/A
Close Status:
N/A

#### February 11, 2021

Licensee(s): Jacson Munoz and Marilyn Munoz

El Rincon Troncaleno, LLC, T/a El Rincon Troncaleno

422-26 S. Macon Street 21224

Class: "B" Beer, Wine & Liquor License

Violation of Rule 4.16 Illegal Conduct – August 15, 2020 – At approximately 11:15 PM, Baltimore City Liquor Board Agent Andy Perez, Agent Terri Chase, Darryl Clark and Inspector Walter Robinson responded to two (2) 311 calls for service (#20-00546854 and #20-00546853) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC 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 directly in front of the establishment, thus allowing for alcoholic beverage service to be provided to patrons. At the time of this observation, the establishment lacked the required liquor board permit to provide temporary outdoor table service. Inspectors also observed tables distanced less than six feet apart and some tables with over six individuals seated at them. Lastly, BLLC inspectors observed three (3) individuals seated at the bar consuming alcoholic beverages in violation of Mayor Bernard C. "Jack" Young's Executive Order issued August 7, 2020. After making these observations, Agent Perez contacted the licensee Jascon Munoz who was on the premises. Agent Perez informed Mr. Munoz of the violations. Mr. Munoz was issued a violation and inspectors left the scene.

Violation of Rule 3.12 General Welfare – August 15, 2020 – At approximately 11:15 PM, Baltimore City Liquor Board Agent Andy Perez, Agent Terri Chase, Darryl Clark and Inspector Walter Robinson responded to two (2) 311 calls for service (#20-00546854 and #20-00546853) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC 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 directly in front of the establishment, thus allowing for alcoholic beverage service to be provided to patrons. At the time of this observation, the establishment lacked the required liquor board permit to provide temporary outdoor table service. Inspectors also observed tables distanced less than six feet apart and some tables with over six individuals seated at them. Lastly, BLLC inspectors observed three (3) individuals seated at the bar consuming alcoholic beverages in violation of Mayor Bernard C. "Jack" Young's Executive Order issued August 7, 2020. After making these observations, Agent Perez contacted the licensee Jascon Munoz who was on the premises. Agent Perez informed Mr. Munoz of the violations. Mr. Munoz was issued a violation and inspectors left the scene.

Violation of Rule 4.16 Illegal Conduct – September 4, 2020 – At approximately 12:30 AM, Baltimore City Liquor Board Agent Darryl Clark and Inspector Jordan responded to a 311 call for service (#20-00679750) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors could hear unreasonably loud music emanating from the establishment as they approached. As inspectors entered the establishment they discovered several staff members and patrons not wearing protective face coverings (A violation of Mayor Bernard C. "Jack" Young's Executive Order issued August 7, 2020), the establishment was overcrowded, and patrons were dancing – this establishment does not have live entertainment privileges attached to their license. After making these observations, Agent Clark contacted the licensee Jascon Munoz who was on the premises. Agent Clark informed Mr. Munoz of the violations. At the time, Mr. Munoz stated that the patrons "just want to dance." Mr. Munoz was issued a violation and inspectors left the scene.

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Violation of Rule 4.14 (a) Live Entertainment – September 4, 2020 – At approximately 12:30 AM, Baltimore City Liquor Board Agent Darryl Clark and Inspector Jordan responded to a 311 call for service (#20-00679750) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors could hear unreasonably loud music emanating from the establishment as they approached. As inspectors entered the establishment they discovered several staff members and patrons not wearing protective face coverings (A violation of Mayor Bernard C. "Jack" Young's Executive Order issued August 7, 2020), the establishment was overcrowded, and patrons were dancing – this establishment does not have live entertainment privileges attached to their license. After making these observations, Agent Clark contacted the licensee Jascon Munoz who was on the premises. Agent Clark informed Mr. Munoz of the violations. At the time, Mr. Munoz stated that the patrons "just want to dance." Mr. Munoz was issued a violation and inspectors left the scene.

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Violation of Rule 4.16 Illegal Conduct — October 17, 2020 — At approximately 11:23 PM, Baltimore City Liquor Board Agent Steven Han and Inspector Cindy Tudhope responded to a 311 call for service (#20-00711201) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC inspectors observed the door closed and the music volume at an acceptable level. As inspectors entered the establishment they observed that the establishment was over its 50% capacity (43 persons) as allowed as per Mayor Bernard C. "Jack" Young's Executive Order issued September 8, 2020. Inspector Tudhope performed a head count and observed there to be approximately 100 people inside of the establishment. As per the Fire Department Permit issued to the establishment, the maximum occupancy of the location is 86. After making these observations, Inspector Tudhope contacted the licensee Jascon Munoz who was on the premises. Inspector Tudhope informed Mr. Munoz of the violations. Mr. Munoz was issued a violation and inspectors left the scene.

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performed a head count and observed there to be approximately 82 people inside of the establishment. As per the Fire Department Permit issued to the establishment, the maximum occupancy of the location is 86. In addition, Chief Chrissomallis also observed numerous patrons dancing and standing around while consuming alcoholic beverages. After making these observations, Inspector Tudhope contacted the licensee Jascon Munoz who was on the premises. Inspector Tudhope informed Mr. Munoz of the violations. Mr. Munoz was issued a violation and inspectors left the scene.

- (a) Service on Licensee(s): Summons issued to the licensee(s) on 1/26/2021.
- (b) **Witnesses Summonsed:** Summons issued to Inspector Tudhope, Inspector Jordan, Chief Inspector Chrissomallis, Agent Clark, Agent Perez, Agent Chase, and Inspector Robinson on 1/26/2021
- (c) Violation History of Current Corporation: Licensee(s) appeared before the Board on 10/20/2020 in reference to:
  - Violation of Rule 4.16 Illegal Conduct
  - Violation of Rule 3.12 General Welfare
  - Violation of Rule 3.12 General Welfare
  - Violation of Rule 4.16 Illegal Conduct
  - \$800 + \$125 admin fee
  - \$925 total fine

Licensee(s) appeared before the Board on 8/4/2020 in reference to:

- Violation of Rule 3.12 General Welfare
- Violation of Rule 4.14 Live Entertainment Without Authorization
- Violation of Rule 3.12 General Welfare
- Violation of Rule 4.14 Live Entertainment Without Authorization
- Violation of Rule 3.12 General Welfare
- Violation of Rule 4.14 Live Entertainment Without Authorization
- Violation of Rule 4.16 Illegal Conduct
- \$650 + \$125 admin fee
- \$775 total fine

Licensee(s) appeared before the Board on 4/18/2019 in reference to:

- Protest of Renewal
- Board voted to renew the license for the year
- 3-0 vote

Licensee(s) appeared before the Board on 12/6/2018 in reference to:

- Violation of Rule 3.12 General Welfare
- Violation of Rule 4.16 Illegal Conduct
- \$2,000 + \$125 admin fee
- \$2,125 total fine

Licensee(s) appeared before the Board on 10/11/2018 in reference to:

- Violation of Rule 4.01(a) Sales to Minors
- Violation of Rule 3.03 (c) Employee Records
- \$1,200 + \$125 admin fee
- \$1,325 total fine

Licensee(s) appeared before the Board on 5/24/2018 in reference to:

- Violation of Rule 4.01(a) Sales to Minors
- \$250 fine + \$125 admin fee
- \$375 total fine
- (d) License Transfer Date: The license transferred to the above named corporation on 5/1/2017.

**Board's Decision:** 

#### 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

### <u>NOTICE</u>

To: El Rincon Troncaleno, LLC T/A El Rincon Troncaleno 422-26 South Macon Street Date: January 26, 2021

#### Licensee may be represented by Counsel before board

You are hereby notified to appear before the Board of Liquor License Commissioners for Baltimore City at 11 o'clock AM on the 11th day of February 2021, via WebEx Virtual Hearing, to show cause why your Alcoholic Beverages License and other permits issued by this Board to you under the provisions of the Alcoholic Beverages Article, as amended, should not be suspended or revoked as required by this Board by Section 4-604 of said Article, following your conviction and/or violation of said law, to wit:

Location of Incident: T/A El Rincon Troncaleno, LLC, 422-26 South Macon Street, MD ("the establishment").

Violation of Rule 4.16 Illegal Conduct – August 15, 2020 – At approximately 11:15 PM, Baltimore City Liquor Board Agent Andy Perez, Agent Terri Chase, Darryl Clark and Inspector Walter Robinson responded to two (2) 311 calls for service (#20-00546854 and #20-00546853) regarding loud music emanating from the establishment. Upon arrival at the establishment, BLLC 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 directly in front of the establishment, thus allowing for alcoholic beverage service to be provided to patrons. At the time of this observation, the establishment lacked the required liquor board permit to provide temporary outdoor table service. Inspectors also observed tables distanced less than six feet apart and some tables with over six individuals seated at them. Lastly, BLLC inspectors observed three (3) individuals seated at the bar consuming alcoholic beverages in violation of Mayor Bernard C. "Jack" Young's Executive Order issued August 7, 2020. After making these observations, Agent Perez contacted the licensee Jascon Munoz who was on the premises. Agent Perez informed Mr. Munoz of the violations. Mr. Munoz was issued a violation and inspectors left the scene.

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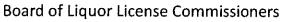
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If you fail to appear at the WebEx Virtual Hearing as instructed by the agency, the board will proceed with the hearing and will take such action regarding the suspension or revocation of your license and permits as warranted by evidence. If you have any questions concerning the specific rules or code cited, please refer to Rules and Regulations for the Board of Liquor License Commissioners for Baltimore City or the Alcoholic Beverages Article of the Annotated Code of Maryland for reference purposes. If you have any questions or concerns regarding this matter please contact Deputy Executive Secretary, Nicholas T.R. Blendy at 410-396-4377.

BY ORDER OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY

Albert Matricciani, Jr., Chairman

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY



For Baltimore City

1 North Charles Street, 15th Floor
Baltimore, Maryland, 21201



baltimore, Maryland, 21201			
VIOL	ATION REPO	RT	
Location Address:	422-26 MACON STREET SOU	TH 21224	
Licensee Information (Trade Name):	EL RINCON TRONCALENO		
Corporation Name	EL RINCON TRONCALENO, LL	C	
License Type:	Class "B" Beer, Wine and Liq	uor	
Contact:	Jacson Munoz		
Bouncer/Security Name (if applicable):		D.O.B.	
Date Violation Issued:	8/15/2020	11:30:00 PM	
On August 15, 2020 at approximately 11:15pm 311 compl approximately 11:30pm I, Agent Perez, Agent Clark, Agent complaint to be valid. Front door was open and loud music addition to loud music several others violations were obseton the establishment as noted on violation issued on 8/10 liquor license extension, tables weren't at least 6ft apart at Upon inspecting the interior of the establishment I also obseverages violating Mayor's order dated 8/7/2020 prohibitions and BLLC staff departed the location without an	t Chase and Inspector Robinsor ic could be heard emanating freerved. A tent set up with chairs 0/2020 was being used for alcound some tables were observed approximately 3 individiting indoor dining services pas	n responded to the establishment and found the om the establishment from several feet away. In and tables placed on the curb directly in front holic beverage service without the required to have parties of over 6 individuals.	



No picture Inserted	
Report Prepared By:	
Inspector(s)	Submission Date
i:0#.w/battimore\andy.pexez	10/20/2020



BOLL Camping and Y

**BCLB-Liquor License Complaint** 

2 Calendar Days

426 S MACON ST, Baltimore ...

N N N

C Section 6

Priority Standard Status Closed

SLA Statue Met Service Reque... BCLB

20-00546853



August 16, 2020 at 12:20 AM

Service Activities

Action Activity

Farley-Robinson, Walter to City of Baltimore Only earl an email.

Status

Edit Service Response

Not Started

Service Questions Action Question

Sent from my iPhone

:

Staff found establishment open and operating. Staff determined that music was foud, multiple Covid violations issued. Establishment voluntarity closed for the night. Badge numbers 135, 007, 133, 009

El Rincon Business Is this issue concerning a private residence or a commercial and/or licensed business? Name of business: ã Edit

Disturbing the peace/noise/bud music/front door open What is the issue?

Ħ

Resolution Questions

No records to display

External Service Requests No records to display

CAUTION: This amai originated from outside of Baltimore City IT Network Systems.
Reminder: DONOT dick links or open attachments unites you recognize the sender and know that the content is safe. Report any suspicious activities to BCIT ServiceDesk@boltimorecity.gov / 410-396-6648.

BCLB-Liquor License Compleint (20-005/16853) service request has been created, updated, endfor requires your attention.

Service Request Type:	BCLB-Uquor License Complaint	Status:	20%
Service Request Number:	20-00546853	Created By:	Open311 API Sile Guest User
Priority:	Standard	SLA Detail:	2 Calendar Davs
Method Received:	SQI	Submitted On:	8/15/2020 11:16 PM
Location:	428 S MACON ST, Baltimore City, 21224	Overdue On:	8/17/2020 11:16 PM
Place Name:		Closed On:	
Location Details:	El Rincon		
Description:	Front door of bar open with loud music		

	Primary Phone:	Secondary Phone:	
Contact Information:	Azine:		

Service (Krestions:	
Question Answer	Antewer
is this issue concerning a private residence or a commendal and/or licensed business?	Buskness
Name of business:	El Rincon
What is the issue? Disturb	Disturbing the peacernoise/loud music/front door open

Service Activities:					
Activity	Status	Assigned To	Outcome	Outcome Reeson Finis	Finish Date
Service Response	Hot Slarted				



POR Carpsonts

**BCLB-Liquor License Complaint** 

2 Calendar Days

Customer 426 S MACON ST, Baltimore ...

10 K K

ASSERBAGES

STEWART O 20-00546854

Priority Standard Stabs Closed SLA Buskus Met Service Reque... BCLB

(appiez, August 16, 2020 at 12:20 AM

Service Activities

Status Action Activity

Farley-Robinson, Watter to City of Baltimore Only sent an emelt . O

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Service Questions Action Question

Sent from my Phone

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El Rincon Business residence or a commercial and/or icensed business? Is this issue concerning a private Ē

Edit Edit

What is the issue?

Disturbing the peace/noise/loud music/front door open

Resolution Questions

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External Service Requests

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BCLB-Liquor License Compleint (20-00546854) service nequest has been created, updated, and/or requires your attention.

New (Duplicate)
Open311 API 8te Guest User
2 Calendor Days
815/2020 11:17 PM
6/17/2020 11:17 PM SLA Detail: Submitted On: Overdue On: Status: Created By: Closed On: 426 S MACON ST, Baltimore Cily, 21224 BCLB-Liquor License Complaint 20-00546854 Standerd S Service Request Type: Service Request Number: Place Name: Location Details: Mathod Received: Description: Location: Priority:

Secondary Phone: Primary Phone:

Contact Information:

Service Questions:

Emalt

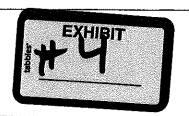
Disturbing the peacetholise/loud music/front door open El Rincon Business this issue concerning a private residence or a commercial and/or licensed business? lame of business: What is the issue?

Answer

Finish Date Outcome Reason Outcome Assigned To Service Activities: Activity Service Response

### **Board of Liquor License Commissioners**

For Baltimore City
1 North Charles Street, 15th Floor
Baltimore, Maryland, 21201



ATION REPORT
422-26 MACON STREET SOUTH 21224
EL RINCON TRONCALENO
EL RINCON TRONCALENO, LLC
Class "B" Beer, Wine and Liquor
Jacson Munoz
D.O.B.
10/4/2020 12:00:00 AM
Liquor License Complaint (20-00679750) service request for a complaint of  music coming from the establishment. Upon entering the establishment, we g protective facial masks. The establishment was overcrowded and patrons "B" license.  nt and the violations. Mr. Munoz, who was not wearing a mask, stated that iolation and was directed to make the appropriate changes prior to our

Photos Taken:







Report Prepared By:

Inspector(s)

**Submission Date** 

4

20-00679750

Closed (Duplicate)

**BCLB-Liquor License Complaint** BCL3 Comptant L.

2 Calendar Days

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Priority Standard Status Closed (Du SLA Status Met Service Reque... BCLB

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October 3, 2020 at 11:00 PM

ko rosalba jordan, adeapuoka, walker farley-robinson, roberta guye, kanyattag washington, ...

Complete Status

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BCLB-Liquor Liberse Complaint (20-00679750) service request has been created, updated, and/or requires your attention.

Open311 API Site Guest User 2 Calender Days 10/3/2020 11:00 PM 10/5/2020 11:00 PM New (Duplicate) Created By: SLA Detail: Submitted On: Oversive On: Closed On: 426 S MACON ST, Baltimore City, 21224 BCLB-Liquor Licensia Complaint 20-00679750 Standerd Service Request Type: Service Request Number: Place Neme: Location Details: sethod Received: Description: Location: Priority:

Secondary Phone: Primary Phone: Contact Information: Ë

Disturbing the peace/noise/foud music/front door open

What is the issue?

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**External Service Requests** 

Vo records to display

**Resolution Questions** 

to records to display

El Rincon

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Business

concerning a private residence or a commercial and/or licensed business? Name of business:

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Is this issue ction Question

Disturbing the peace/notes/boar music/front door open El Rincon Business Answer this issue concerning a private residence or a commercial and/or licensed business? Service Questions: eme of business: What is the issue?

Finish Date Outcome Resson Оиссопе Assigned To Not Started Status Activity Service Response Service Activities:

Open311 API Sits Guest User CE-02815653 · O

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October 3, 2020 at 11:00 PM

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Open311 API Sife Guest User (Customer) changed Flex Summary.





Board of Liquor License Commissioners

For Baltimore City

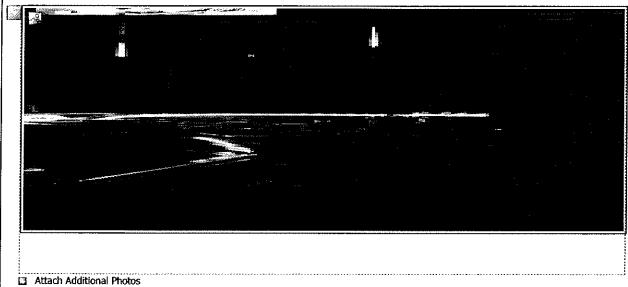
1 North Charles Street, 15th Floor Baltimore, Maryland, 21201



VIOL	ATION REPORT	
Location Address:	422-26 MACON STREET SOUTH 21224	
Licensee Information (Trade Name):	EL RINCON TRONCALENO	
Corporation Name	EL RINCON TRONCALENO, LLC	
License Type:	Class "B" Beer, Wine and Liquor	
Contact:	Mr. Jacson Munoz	
Bouncer/Security Name (if applicable):	D.O.B.	
Date Violation Issued:	10/14/2020 11:30:00 PM	
known as El Rincon located at 422-26 Macon Street in res complaint of " Disturbing the peace/noise/loud music/fro As we approached the establishment, we could hear loud	·	а
	patrons not wearing protective facial masks. The establishment had patron	

Photos Taken:





#### Report Prepared By:

Inspector(s) Submission Date i:0#.w|baltingere\darryl.clark 10/19/2020 Approve Disapprove

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20-00705005

Priority Standard Status Closed 9LA Status Met Service Reque... BCLB

BCLB-Liquor License Complaint 2 Celendar Days Customer 426 S MACON ST, Baltimore ...

Status Not Started

Service Activities

Action Activity

Clark, Derryl to City of Baltimore Only contien emell.

Edit Service Response

Business Answer Is this issue concerning a private concerning a private concerning and or sesidence or a commercial and/or licensed business? Name of business: Service Questions Action Question Edit

Disturbing the peace/noise/loud music/front door open El Rincon What is the issue?

Sent from my iPhone

Edit

Edit

Resolution Questions No records to display External Service Requests

No records to display

Staff did an investigation and found complaint valid, BCLB staff spoke to complainant. Investigation- Inspection Bedge #'s 012, 133 (Violation)

October 14, 2020 at 11:47 PM

CAUTION: This email originated from autside of Baltmore City IT Network Systems.
Reminder: <u>DA NOT</u> citkk links or open attachments unless you recognize the sender and know that the content is safe. Report any suspicious activities using the Report Phishing Email Button, or by emailing to Phishing Baltman to the sender and know that the content is safe. Report any suspicious activities using the Report Phishing Email Button, or by emailing to Phishing Baltman or by emailing to

BGLB-Liquor License Complaint (20-007/05005) sorvice request has been created, updated, and/or requires your alterition.

Open311 API Site Guest User 2 Calendar Days 10/14/2020 10:29 PM 10/16/2020 10:29 PM SLA Detall: Submitted On: Overdue On: Closed On: Created By: 426 S MACON ST, Baltimora Cily, 21224 BCLB-Liquor Liberiae Compleint 20-00705005 Slandard OS Loud bass on a rightly basis Service Request Type: Service Request Number: Method Received: coation Details: lace Name: Description: Location:

Primary Phone: Secondary Phone: Contact Information: Service Questions: Email:

	Answer
is this issue concerning a private residence or a commercial and/or icensed business?	Business
Name of bushoss:	El Rincon
Central to the interior	Disturbing the peace/notes/four frustoffont door open

### **Board of Liquor License Commissioners**

For Baltimore City

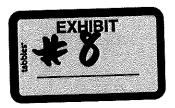
1 North Charles Street, 15th Floor
Baltimore, Maryland, 21201

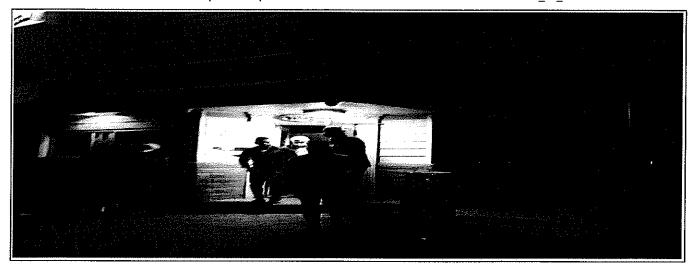
VIOL	ATION REPORT	
Location Address:	422-26 MACON STREET SOUTH 21224	~
Licensee Information (Trade Name):	EL RINCON TRONCALENO	
Corporation Name	EL RINCON TRONCALENO, LLC	
License Type:	Class "B" Beer, Wine and Liquor	~
Contact:	Marilyn Munoz	$\overline{\mathbb{J}}$
Bouncer/Security Name (if applicable):	D.O.B.	:8
Date Violation Issued:	10/17/2020 III 11:23:00 AM	

Violation Reporting Facts:

On October 17th at 11:08PM complaint # 20-00711201 was received for 422-426 South MaconStreet for Disturbing the peace/noise/loud music/front door open. I Inspector Tudhope and Agent Steven Han responded at approx. 11:23PM to complaint and found establishment open and operating. Inspector found front door closed and music to be at acceptable level, upon entering establishment Inspector and Agent inquired with Bouncer for the head count and security was unable to give inspector and Agent a count. Inside inspector and Agent observed that establishment was over its allowed 50% capacity of 43people during Covid. Inspector Tudhope preformed a head count and observed there to be approx. 100 people inside. Inspector and Agent made contact with Mr. Munoz and his daughter a Ms.Marilyn Munoz and made them aware of complaint. Inspector and Agent instructed bouncer and Mr. Munoz to not allow any more people inside and they complied. Inspector made Mr. Munoz and Ms. Munoz aware of Violation and Instructed him he could not have over 50% capacity at this time due to covid restrictions, Inspector also informed Mr. Munoz he was over regular capacity of 85 people. Inspector and Agent left without further incident.

Photos Taken:







Report Prepared By:			
Inspector(s)	Submission	Date	
i:0#.w baltimore\cindy-leigh.tudhope	10/20/2020	<u> </u>	

10.408/20/20

See and Access

action temperature

**BCLB-Liquor License Complaint** 

2 Calendar Days

Sustamer 126 S MACON ST, Balkimore ...

Jreektown

Status Closed SLA Status Missed

20-00711201

Priority Standard Service Reque... BCLB

Oolober 17, 2020 at 10:27 PM

New Open311 API Site Guest User

2 Calendar Days 10/17/2020 10:27 PM 10/19/2020 10:27 PM

Submitted On: Overdue On:

428 S MACON ST, Beltimore City, 21224

Closed On:

Created By: SLA Detail:

BCLB-Liquor Licanse Complaint (20-00711201) service request has been created, updated, and/or requires your attention.

BCLB-Liquor License Compleint 20-00711201

Service Request Type: Service Request Number:

Method Received:

.ocation Datails:

Jace Name: Description:

Location: Priority:

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Open311 API Site Guest User (Customer) to City of Battimore Only sent an email. . O

ervice Activities

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Not Started ction Activity

Answer Is this issue concerning a private dit Service Response service Questions ction Question

El rincon Business residence or a commercial and/or icensed business? Ħ ŧ

What is the issue?

Disturbing the peace/noise/loud music/front door

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**Resolution Questions** to records to display

external Service Requests

Vo records to display

Contact Information:

Secondary Phone Primary Phone:

Disturbing the peace/noise/loud music/front door open Businets El rincon Answer is this issue concerning a private residence or a commercial and/or icensed business? Service Questions: Question lame of business; What is the issue?

Finish Date Outcome Reason Outcome Assigned To Not Started Startus Activity Service Response Service Activities:

Open311 API Site Quest User CE-02886545 : O

Open311 API Site Guest User CE-02886544 - O

Open311 API Site Guest User (Customer) changed Flex Summary.

October 17, 2020 at 10:27 PM

October 17, 2020 at 10:27 PM

October 17, 2020 at 10:27 PM



### **Board of Liquor License Commissioners**

For Baltimore City

1 North Charles Street, 15th Floor
Baltimore, Maryland, 21201

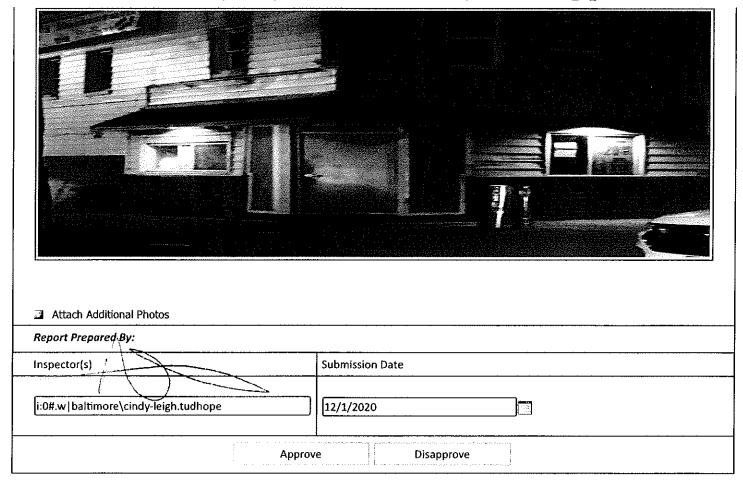
	itimore, Maryland, 21201
VIOLA	ATION REPORT
Location Address:	422-26 MACON STREET SOUTH 21224
Licensee Information (Trade Name):	EL RINCON TRONCALENO
Corporation Name	EL RINCON TRONCALENO, LLC
License Type:	Class "B" Beer, Wine and Liquor
Contact:	
Bouncer/Security Name (if applicable):	D.O.B.
Date Violation Issued:	

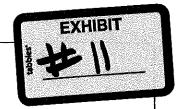
Violation Reporting Facts:

On November 22nd, 2020 at approximately 7.02PM I, Inspector Tudhope and Agent Han responded to a complaint recieve by Chief Chrissomallis for establishment Known as El Recincon located at 426 South Macon Street, the complaintant stated that establishment was over 25% capacity. When Chief Inspector Chrissomalis arrived he found the establishment to have 82 patrons inside, the establishments maximum capacity during covid is 22 Patrons, Chief Chrissomallis also observed no social distancing being observed, patrons standing and patrons drinking without consuming food. Chief Chrissomallis also observed there to be live entertainment without establishment having live entertainment. Establishment was ordered to close for the night. Inspector Tudhope and Chief Chrissomalis made contact with licensee MR. Munoz and informed of these violations and BLLC staff departed the location without any further incidents.

BO TO

Photos Taken:





# Board of Liquor License Commissioners For Baltimore City 1 North Charles Street, 15th Floor

Baltimore, Maryland, 21201	
VIOLATION REPORT	
Location Address:	422-26 MACON STREET SOUTH 21224
Licensee Information (Trade Name):	EL RINCON TRONCALENO
Corporation Name	EL RINCON TRONCALENO, LLC
License Type:	Class "B" Beer, Wine and Liquor
Contact:	
Bouncer/Security Name (if applicable):	D.O.B.
Date Violation Issued:	11/22/2020 6:50:00 PM
Violation Reporting Facts:	
On November 22, 2020 at approx. 18:50   Chief Chrissomallis received a call from SE District Supervisor advising me that patrol feels that the establishment located at 422 South Macon Street known as El Rincon might be in violation of the Governor's Executive Order.	
at that time called Inspector Tudhope and Agent Han and had them respond to the location. I also responded to the location and observed a full parking lot. When I entered the location there was a large number of people some sitting at tables others standing and	
drinking, few staff members had masks on and a few custo	omers the majority only put masks on when they saw me inside. Once inside I I had explained to the owner multiple times in the past was not allowed
during this Executive Order. I made contact with the owner customers. At that time, he stated he didn't think he was	er and told him he is grossly over capacity which during the order is only 22 over and I advised him he is probably at 100 people. BPD Police also arrived
	he night due to public health and safety. I counted 82 patrons exit the eowner saw me counting. I informed him that I counted 82 people and he

stated "see you lied, you said there was 100 Inside". I explained to him that 82 was grossly over the allowed amount of 22. We left the

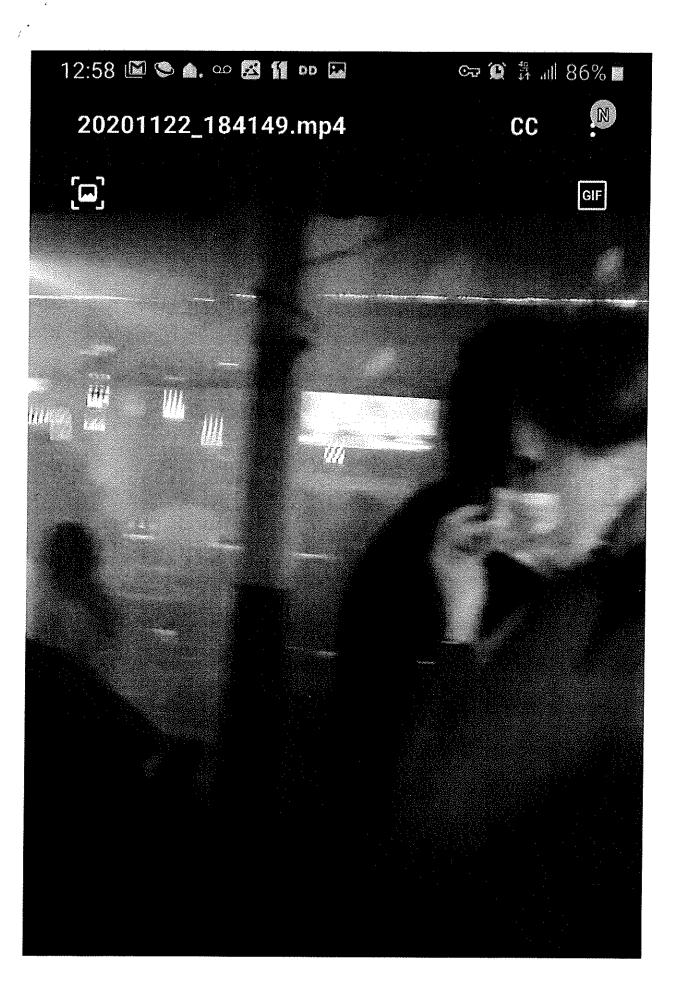
Photos Taken:

location without any further incident.

Click here to insert a picture	
Attach Additional Photos	
Report Prepared By:	
Inspector(s)	Submission Date
i:0#.w baltimore\john.chrissomalliss	12/29/2020
Approve Disapprove	









## MAYORAL EXECUTIVE ORDER PARTIAL REOPENING PURSUANT TO PHASE TWO

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by the Governor of Maryland on March 5, 2020 to control and prevent the spread of COVID-19 within the state, and the state of emergency and the catastrophic health emergency still exist;

WHEREAS, the Mayor of Baltimore City has declared a State of Emergency for Baltimore City due to the spread of COVID-19, which is still in place;

WHEREAS, COVID-19 is an infectious and contagious respiratory disease that continues to pose serious health risks for the citizens of Baltimore City, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions;

WHEREAS, the effects of COVID-19 require that local officials be vigilant in advising the citizens of measures they can take to protect health, safety and welfare;

WHEREAS, the Centers for Disease Control (CDC) advises that social distancing is the most effective way of slowing the spread of COVID-19;

WHEREAS, to protect lives and reduce transmission of the novel coronavirus in Baltimore City, it is necessary for individuals to maintain safe distances from each other;

WHEREAS, the latest scientific research and expert guidance support limitations on large gatherings and the use of social distancing practices as a successful method to prevent exposures and transmissions and reduce the threat of COVID-19 to all citizens but are especially important to protect vulnerable populations;

WHEREAS, evidence also suggests that dining establishments and bars are particularly high-risk environments for transmission. Some studies indicate that the single most effective orders for slowing transmission are social distancing orders related to restaurant and bar operations.

WHEREAS, it is vital to reduce the threat of this illness in the community and it is, therefore, necessary and reasonable to set strict limits on congregating;

WHEREAS, the State has implemented measures to reduce community transmission rates of COVID-19, while strategically activating the Maryland Strong: Roadmap to Recovery plan;

WHEREAS, the City is expanding COVID-19 testing, implementing contact tracing, and monitoring hospitalizations; and procuring additional protective equipment;

WHEREAS, on June 29, 2020, the Mayor issued an Executive Order allowing outdoor events of more than 10 people subject to a limit of 50% of the maximum capacity of the venue and the use of facial coverings and proper social distancing.

WHEREAS, on June 10, 2020, Governor Hogan again authorized local governments to relax certain restrictions on activities and businesses in the State including limited indoor dining and bar activity;

WHEREAS, on June 22, 2020, the Mayor issued an Executive Order authorizing serving beverages and food to customers for consumption in indoor seating areas and on July 22, 2020, due to indications of an increase in cases in the City, the Mayor rescinded the June 22 Mayoral Order as it applied to indoor dining and congregating in an attempt to prevent further transmission of COVID -19;

WHEREAS, on August 5, 2020, the Mayor issued a Mayoral Executive Order partially reopening restaurants and bars for indoor and outdoor dining and gatherings which was to go into effect at 5p.m. on Friday August 7, 2020;

WHEREAS, the August 5 order is hereby rescinded and replaced by this Mayoral Executive Order Partially Reopening Restaurants and Bars for Dining and Restricting Gatherings;

WHEREAS, in order to lessen the economic impact of restaurant and bar closures but still slow any further spread of COVID19, limited opening of indoor food and beverage service at restaurants and bars and limitations on congregating in groups are being imposed;

WHEREAS, Order No. 20-06-10-01 authorizes political subdivisions such as Baltimore City to issue local orders that are more restrictive than Order No. 20-06-10-01, such as those requiring any businesses, organizations, establishments, or facilities to close or modify their operations and/or requiring individuals to remain indoors or to refrain from congregating, if deemed necessary and reasonable to save lives or prevent exposure to COVID-1.

WHEREAS, the Mayor of Baltimore City has consulted with public health experts and has concluded that the City can safely lift certain restrictions subject to criteria set by public health experts.

NOW THEREFORE, I, Mayor Bernard "Jack" Young, Mayor of the City of Baltimore, in consultation with the Commissioner of Health for Baltimore City and by virtue of the authority vested in me by the Governor's Orders, do hereby issue the following Executive Order:

#### BE IT ORDERED THAT

#### I. Administrative Provisions

a. This Mayoral Order continues the Order of June 8, rescinding the Stay at Home provisions in prior Mayoral Orders. Residents, however, should continue to stay at home and continue to work from home when possible. Older and more vulnerable residents, and those who live with them, are strongly advised to stay home whenever possible.

Residents and visitors should practice safe physical distancing, comply with the Health Commissioner Second Amended Directive and Order Regarding Face Coverings in Public dated July 29, 2020 (the "Face Masking Order") and frequently wash their hands and sanitize high-touch areas. Employers should continue to encourage telework for their employees when possible.

b. The Mayoral Orders of June 22, 2020, July 22, and August 7, 2020, to the extent that they are inconsistent with this Mayoral Order, are rescinded.

This Order also amends or augments previous orders of the Mayor of Baltimore City regarding operations of businesses, establishments, facilities covered by this Mayoral Executive Order.

c. The Baltimore City Health Commissioner may issue orders not inconsistent

with this Order that are necessary to monitor, prevent, and reduce the spread of and suppress, COVID-19 in relation to any activity permitted by this Order or any business permitted to open under the Order.

- d. In accordance with the Governor's Order, if Baltimore City determines that doing so is necessary and reasonable to save lives or prevent exposure to COVID-19, the political subdivision is hereby authorized to issue orders that are more restrictive than this Order ("Local Orders"):
  - 1. requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or
  - 2. requiring individuals to remain indoors or to refrain from congregating.

#### II. Gatherings

Gatherings (defined as "an indoor or outdoor assembly or meeting, especially a social or festive one or one for a specific purpose"). Gatherings include but are not limited to a celebration, event, party, cookout, parade, or a festival.

- a. Outdoor and indoor gatherings at public and private facilities, private homes and any public space are limited to no more than 25 persons; provided however, there must be sufficient space for persons to remain socially distant.
- b. Gatherings at event venues and spaces with a fire marshal-rated certificate of maximum occupancy are permitted to open at up to 25% of the facility's maximum capacity. If any indoor event venue or space is designed to accommodate more than one event, the limitation of 25% of the maximum capacity applies to each venue or space, provided that the facility at no time exceeds 25% of its maximum capacity
- c. Gatherings at locations and spaces no fire marshal-rated certificate of maximum occupancy are limited to 25 persons.
- d. Sports gatherings with no spectators are permitted pursuant to the requirements of b. and c. above which ever is applicable. Face covering and social distancing for any one not participating in the sporting activity are required.
- e. Permitted or otherwise authorized youth sports gatherings are authorized with no spectators (except parents or guardians) and required face covering and social distancing.

f. There shall be a continued pause on issuing of City permits for events through September 30, 2020.

#### III. Religious Facilities

Subject to any applicable State or Local Health, churches, synagogues, mosques, temples, and other similar religious facilities of any faith in Baltimore City (Religious Facilities") may open to the general public, provided, however, that the total number of persons permitted in the Religious Facility at any one time shall not exceed 50% of the Religious Facility's maximum capacity (defined below).

Religious Facilities shall make every effort to clean the facility between each use, shall require facial covering except when removal is necessary to participate in the religious service and shall encourage social distancing.

#### IV. Retail Establishments and Malls.

Subject to applicable Local Orders and Secretary's Directives:

- a. Retail businesses, organizations, establishments, and facilities in the State of Maryland ("Retail Establishments") may open to the general public, provided, however, that the total number of persons permitted in a Retail Establishment at any one time shall not exceed 50% of that Retail Establishment's Maximum Occupancy (defined below); and
- b. Shopping centers in the State of Maryland that have one or more enclosed pedestrian concourses may open to the general public not to exceed 50% capacity at any one time.

#### V. Indoor Recreational Establishments.

- a. Provided that there is sufficient space for social distancing and masks are worn when possible and subject to applicable Local Orders and Secretary's Directives, the following establishments in Maryland ("Indoor Recreation Establishments") may open to the general public, effective as of 5:00 p.m. on September 8, 2020 at 50% of maximum capacity:
  - 1. bingo halls;
  - 2. bowling alleys;
  - 3. pool halls;
  - 4. roller and ice skating rinks;
  - 5. social and fraternal clubs (including without limitation, American

- Legion posts, VFW posts, and Elks Clubs) ("Social Clubs"); and
- 6. subject to Section XIV below, the indoor areas of any other establishments that are subject to the Admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code;
- b. As used in this paragraph:
  - 1. the term "indoor area" has the meaning provided in COMAR 10.19.04.02.B(9); and
  - 2. the term "outdoor area" means an area that is not an indoor area.

#### VI. Other Recreational Establishments.

- a. Subject to any applicable Local Health Commissioner Orders and Secretary's Directives, the following establishments in Baltimore City may open to the general public.
  - 1. golf courses and driving ranges;
  - 2. outdoor archery and shooting ranges;
  - 3. marinas and watercraft rental businesses;
  - 4. campgrounds;
  - 5. horse boarding and riding facilities;
  - 6. outdoor swimming pools Subject to MDH Order 20-06-10-03
    - i. Maximum capacity for persons in the pool to be determined by dividing the pool surface square footage by 36
    - ii. signs shall be posted stating the capacity limit for the pool;
  - iii. person occupying the outdoor space around the should practice social distancing and wear facial coverings.
  - iv. All pool Operators shall post signs
    - · Telling patrons not to enter if sick
    - · Post handwashing reminders
    - Cover cough reminders
    - · Post reminders to shower before entering the pool.
  - 7. indoor pools Subject to MDH Order 20-06-10-03 and e.i.7.(b.-d.)
    - a. The total number of persons permitted in an indoor facility (indoor pools, fitness centers or aquatic centers) at any one time shall not exceed 50% of that facility's maximum occupancy as defined in the Executive Order No. 20-06-10-01.
  - 8. outdoor day camps;
  - 9. tour boats;
  - 10. the outdoor areas of any other establishments that are subject to the Admission and amusement tax under Title 4 of the Tax-General Article

#### of the Maryland Code;

b. Subject to VI. a. and to applicable Local Health Commissioner Orders and Secretary's Directives, any indoor areas are limited to 50% of maximum capacity.

#### VII. Foodservice Establishments

- a. Subject to b. below, all restaurants, bars, nightclubs, and other similar establishments that sell food or beverages for consumption on-premises or beverages for consumption on-premises and Social Clubs or facilities of any kind with dining facilities (collectively, "Foodservice Establishments") may, to the extent permitted by applicable law:
  - 1. serve food and beverages to customers for consumption in outdoor seating areas;
  - 2. sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis;
  - 3. deliver food and beverages to customers off the premises; and
  - 4. effective as of 5:00 p.m. on September 8, 2020, serve food and beverages to customers for consumption in indoor seating areas.

#### b. Foodservice Establishments shall:

- 1. require all staff to wear Face Coverings, in accordance with the Face Coverings Order (defined below);
- 2. not allow the number of persons in the Foodservice Establishment to exceed 50% of the Foodservice Establishment's Maximum Occupancy (defined below):
- 3.. not serve food in a buffet format;
- 4. not serve customers who are not seated;
- 5. clean and disinfect each table between each seating in accordance CDC and MDH guidelines, using cleaning products that meet the criteria of the U.S. Environmental Protection Agency for use against COVID-19.

#### **VIII. Fitness Centers**

- a. Subject to applicable Local Orders and Secretary's Directives, effective as of 5:00 p.m. on September 8, 2020, fitness centers, health clubs, health spas, gyms, aquatic centers, and self-defense schools in Baltimore City ("Fitness Centers") may open to the general public; provided, however, that the total number of persons permitted in a Fitness Center at any one time shall not exceed 50% of that Fitness Center's Maximum Occupancy (defined below).
  - 1. Staff and patrons shall wear facial covering to the maximum extent possible.
  - 2. Staff shall clean equipment between each use in accordance with CDC and MDH guidance.

#### XI. Casinos

The total number of persons permitted in a casino at any one time shall not exceed 50% of its Maximum Occupancy (defined below).

#### XII. Personal Services

- a. Subject to applicable Local Orders, applicable Secretary's Directives and paragraph b. and c. below, the following establishments in Baltimore City ("Personal Services Establishments") may open to the general public:
  - 1. beauty salons:
  - 2. barber shops;
  - 3. tattoo parlors;
  - 4. tanning salons;
  - 5. massage parlors; and
  - 6. establishments that provide esthetic services or provide nail technician services (as described in Title 5 of the Business Occupations Article of the Maryland Code);
- b. All customers over the age of two are required to wear Face Coverings (as defined in the Face Coverings Order (defined below)) while inside any Personal Services Establishment, except to the extent wearing a Face Covering would make it impossible for services to be performed.
- c. Personal Services Establishments shall:

- 1. require staff to wear Face Coverings while in areas open to the general public and areas in which interaction with other staff is likely;
- 2. provide services on an appointment basis only and keep a log of each customer's name and that of anyone who accompanied them to the appointment and the name of the person who provided their services;
- 3. not allow the number of persons in the Personal Service Establishment to exceed 50% of the Personal Service Establishment's Maximum Occupancy (defined below); and
- 4. after providing services to each customer, clean and disinfect the area in which services were performed in accordance with applicable guidelines from the CDC, MDH, and the Baltimore City Health Department.

#### XIII. Other Businesses.

Except as otherwise closed by this Order or other Mayoral or Governor's Order and subject to applicable Local Health Commissioner's Orders and Secretary's Directives and the provisions contained herein, businesses, organizations, establishments, and facilities that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (currently described at

https://www.cisa.gov/identifying-criticalinfrastructure-during-covid-19) may open at 50% of maximum capacity to the general public including zoos, aquariums and museums.

#### XIV. Theaters and Outdoor Entertainment Venues.

Subject to applicable Local Orders Health Commissioner Orders and Secretary's Directives:

a. theaters in Maryland at which live performances occur or motion pictures are shown indoors ("Indoor Theaters") may open to the general public; provided, however, that the total number of persons permitted in an Indoor Theater at any one time (per individual auditorium or performance stage) shall not exceed the lesser of (i) 50% of that Indoor Theaters' Maximum Occupancy (defined below), or (ii) 100 persons; and b. venues in Maryland at which live performances occur or motion pictures are shown outdoors, and at which entry is limited to ticketed customers ("Outdoor Entertainment Venues"), may open to the general public;

provided, however, that the total number of persons permitted in an Outdoor Entertainment Venue at any one time shall not exceed the lesser of (i) 50% of that Outdoor Entertainment Venue's Maximum Occupancy (defined below), or (ii) 250 persons.

#### XV. Definitions

- a. "Maximum Occupancy" means:
  - 1. 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;
  - 2. If no such certificate has been issued for the Facility by the local fire code official, the maximum occupancy of the Facility pursuant to applicable laws, regulations, and permits.

#### XVI. Face Coverings.

- a. Definitions. As used herein:
  - 1. "Face Covering" means a covering that fully covers a person's nose and mouth and is secured to the person's head, but is not a Medical-Grade Mask. The term "Face Covering" includes, without limitation, scarves, bandanas, and plastic full-face shields.
  - 2. "Medical-Grade Mask" means an N95, KN95, surgical, or other mask that would be appropriate for a health care setting.
  - 3. "Public Transportation" means shared-ride surface transportation services that are open to the general public, including without limitation, taxi services, ride-sharing services, car services, transit services provided by any other unit of the State or any political subdivision, and all related stations and platforms. Examples of Public Transportation include, but are not limited to MTA bus service, MARC train service, Light Rail train service, MTA Metro subway service, and Mobility and Paratransit services.
- b. Requirement to Wear Face Coverings.
  - 1. Except as provided in paragraph e., all persons in Maryland over the age of five (5) years old are required to wear a Face Covering when they are:
    - i. in or on any Public Transportation;
  - 2. indoors at any location where members of the public are generally

permitted, including without limitation, Religious Facilities, Retail Establishments, Foodservice Establishments, Fitness Centers, Gaming Facilities, Indoor Recreation Establishments, Personal Services Establishments, and Indoor Theaters;

- 3. outdoors and unable to consistently maintain at least six feet of distance from individuals who are not members of their household;
- 4. obtaining healthcare services, including without limitation, in

offices of physicians and dentists, hospitals, pharmacies, and laboratories; and

- 5. engaged in work in any area where:
  - i. interaction with others is likely, including without limitation, in shared areas of commercial offices; or
  - ii. food is prepared or packaged.
- c. Single-use Face Coverings shall be properly discarded in trash receptacles. It is recommended that all reusable Face Coverings be cleaned frequently (at least once per day).
- d. Wearing a Medical-Grade Mask satisfies any requirement in this Order to wear a. Face Covering, but all Marylanders are urged to reserve Medical-Grade Masks for use by health care workers and first responders.
- e. Exceptions. This Order does not require persons to wear Face Coverings:
  - 1. if, due to a bona fide disability or medical condition, it would be unsafe for the person to do so;
  - 2. to the extent wearing a Face Covering would impede communication by or with persons who have a hearing impairment or other disability, where the ability to see the mouth is essential for communication;
  - 3. if wearing a Face Covering would subject the person to an unsafe working condition, as determined by federal, state, or local occupational safety regulators or workplace safety guidelines;
  - 4. to the extent wearing a Face Covering would make it impossible to receive services requiring access to the face, mouth, or head, including without limitation, dental care, shaving, and facial treatments;
  - 5. while consuming food or beverages;
  - 6. while swimming or engaging in other physical activities where the use of a Face Covering is likely to pose a bona fide safety risk; or
  - 7. while operating any Public Transportation conveyance, provided that the person is (1) the sole operator of the conveyance, and (2) located in a separate compartment that is off-limits to riders.

## XVII. Businesses, Organizations, Establishments, and Facilities Required to Close.

- a. Senior Centers. All senior citizen activities centers (as defined in Section 10-501(i) of the Human Services Article of the Maryland Code) shall remain closed.
  - 1.Staff and owners may continue to be on-site at any business, organization, establishment, or facility that is required to be closed pursuant to this Order for only the following purposes:
  - i. Facilitating remote working (a/k/a/ telework) by other staff;
  - ii. Maintaining essential property;
- iii. Preventing loss of, or damage to property, including without limitation, preventing spoilage of perishable inventory;
- iv. Performing essential administrative functions, including without limitation, picking up mail and processing payroll; and
- v. Caring for live animals.
- b. Closure By Other Order. All businesses, organizations, establishments, and facilities that are required to close pursuant to any other Order of the Governor of the State of Maryland or any other Order of a political subdivision, shall be and remain closed in accordance with such other Order, as the case may be.

### XVIII. Government Buildings and Facilities with Large Occupancy or Attendance.

- a. State and local government buildings and facilities with an expected occupancy or attendance of more than 10 people shall:
  - i. Promptly and conspicuously post in the building or facility a copy of the MDH recommendations for social distancing; and
  - ii. Provide all occupants and attendees with the capability to wash their hands.
- b. A copy of this Order shall be made available to all occupants or attendees at any State or local government building and facility with an expected occupancy or attendance of more than 10 people.

#### XIX. General Provisions

a. All businesses, organizations, establishments, and facilities that are permitted to be open under this Mayoral Order shall comply with:

- 1. applicable Local and Governor's Orders;
- 2. applicable Directives issued by the Maryland Secretary of Health;
- 3. applicable social distancing guidance published by the CDC and the Maryland Department of Health; and
- 4. orders issued by the applicable Local Health Officer/Mayor
- b. Restaurants and Bars shall continue to comply with the Order of the Governor of the State of Maryland Number 20-04-15-01, dated April 15, 2020, entitled "Requiring Use of Face Coverings Under Certain Circumstance and Requiring Implementation of Certain Physical Distancing Measures", as it may be amended from time to time (the "Face Coverings Order").
- c. Any business, organization, establishment, or facility in the City of Baltimore may require its customers over the age of two, visitors over the age of two, and/or staff to wear Face Coverings (as defined in the Face Coverings Order). A business, organization, establishment, or facility that elects to do so shall post signage at each entrance advising customers.
- d. Each law enforcement officer of the State or a political subdivision shall execute and enforce Governor Hogan's May 27, 2020 Order and this Local Order pursuant to the terms of the Governor's Order 20-05-27-01 which provides that a person who knowingly and willfully violates this Order or any Local Order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.
- e. In accordance with the Governor's Order allowing for local decision making, the Mayor reserves the right to rescind any or all parts of this Order and the Stay at Home Order or issue a new order revising this mayoral order, in the event that this Order is not complied with or if it is in the public health interest of the citizens of Baltimore City to reinstate restrictions.
- f. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, until rescinded, superseded, amended, or revised by additional orders.
- g. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this order is hereby suspended to the extent of the inconsistency.

- h. The bold paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.
  - 1. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

This Executive Order shall take effect Tuesday, September 8, 2020 at 5:00 p.m.

ATTEST:

CUSTODIAN OF THE CITY SEAL

Alternate"

IN WITNESS WHEREOF I HAVE HEREUNTO PLACED MY HAND AND THE GREAT SEAL OF THE CITY OF BALTIMORE

THIS 8th DAY OF September, 2020

BERNARD C. "Ł

MAYOR

**CITY OF BALTIMORE** 

APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE BALTIMORE CITY LAW DEPARTMENT

... DANA P. MOORE

ACTING CITY SOLICITOR



# MAYORAL EXECUTIVE ORDER PARTIALLY REOPENING RESTAURANTS AND BARS FOR INDOOR DINING AND RESTRICTING GATHERINGS

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by the Governor of Maryland on March 5, 2020, and was most recently renewed on July 1, 2020 to control and prevent the spread of COVID-19 within the state, and the state of emergency and the catastrophic health emergency still exist;

WHEREAS, the Mayor of Baltimore City has declared a State of Emergency for Baltimore City due to the spread of COVID-19, which is still in place;

WHEREAS, the effects of COVID-19 require that local officials be vigilant in advising the citizens of measures they can take to protect health, safety and welfare;

WHEREAS, COVID-19 continues to pose serious health risks for the citizens of Baltimore City, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions;

WHEREAS, the Centers for Disease Control (CDC) advises that social distancing is the most effective way of slowing the spread of COVID-19;

WHEREAS, to protect lives and reduce transmission of the COVID19 in Baltimore City, it is necessary for individuals to maintain safe distances from each other;

WHEREAS, although there are now measures in place such as personal protection equipment and sanitation protocols to reduce community transmission, there are indications that the number of COVID-19 cases in Baltimore City is increasing

WHEREAS, evidence suggests that dining establishments and bars are particularly high risk environments for COVD19 transmission. Some studies have indicated the single most effective orders for slowing transmission are social distancing orders related to bar and restaurant operations.

WHEREAS, the latest scientific research and expert guidance support limitations on large gatherings and the use of social distancing practices as a successful method to prevent exposures and transmissions and reduce the threat of COVID-19 to all citizens but are especially important to protect vulnerable populations;

WHEREAS, it is vital to reduce the threat of this illness in the community and it is, therefore, necessary and reasonable to set strict limits on congregating;

WHEREAS, on June 29, 2020, the Mayor issued an Executive Order allowing outdoor events of more than 10 people subject to a limit of 50% of the maximum capacity of the venue and the use of facial coverings and proper social distancing.

WHEREAS, on June 10, 2020, Governor Hogan again authorized local governments to relax certain restrictions on activities and businesses in the State including limited indoor dining and bar activity;

WHEREAS, on June 22, 2020, the Mayor issued an Executive Order authorizing serving beverages and food to customers for consumption in indoor seating areas and on July 22, 2020, due to indications of an increase in cases in the City, the Mayor rescinded the June 22 Mayoral Order as it applied to indoor dining and congregating in an attempt to prevent further transmission of COVID -19;

WHEREAS, on August 5, 2020, the Mayor issued a Mayoral Executive Order partially reopening restaurants and bars for indoor and outdoor dining and gatherings which was to go into effect at 5p.m. on Friday August 7, 2020;

WHEREAS the August 5 order is hereby rescinded and replaced by this Mayoral Executive Order Partially Reopening Restaurants and Bars for Dining and Restricting Gatherings;

WHEREAS, in order to lessen the economic impact of restaurant and bar closures but still slow any further spread of COVID19, limited opening of indoor food and beverage service at restaurants and bars and limitations on congregating in groups are being imposed;

WHEREAS, Order No. 20-06-10-01 authorizes political subdivisions such as Baltimore City to issue local orders that are more restrictive than Order No. 20-06-10-01, such as those requiring any businesses, organizations, establishments, or facilities to close or modify their operations and/or requiring individuals to remain indoors or to refrain from congregating, if deemed necessary and reasonable to save lives or prevent exposure to COVID-1.

NOW THEREFORE, I, Mayor Bernard "Jack" Young, Mayor of the City of Baltimore, in consultation with the Commissioner of Health for Baltimore City and by virtue of the authority vested in me by the Governor's Order, do hereby issue the following Executive Order:

#### BE IT ORDERED THAT

#### I. Administrative Provisions.

a. The Mayoral Order dated June 8, 2020 rescinding the Stay at Home provisions in prior Mayoral Orders remains in place. Residents, however, should continue to stay home when possible. Older and more vulnerable residents, and those who live with them, are strongly advised to stay home whenever possible.

Residents and visitors should practice safe physical distancing, comply with the Health Commissioner Second Amended Directive and Order Regarding Face Coverings in Public dated July 29, 2020 (the "Face Masking Order") and frequently wash their hands and sanitize

high-touch areas. Employers should continue to encourage telework for their employees when possible.

Individuals who can work from home should continue to do so.

- b. The Mayoral Orders of June 22, 2020 and July 22, 2020, to the extent that they are inconsistent with this Mayoral Order, are rescinded. This Mayoral Order also amends previous orders of the Mayor of Baltimore City regarding operations of restaurants and bars and gatherings generally.
- c. The Baltimore City Health Commissioner may issue orders not inconsistent with this Order that are necessary to monitor, prevent, and reduce the spread of and suppress, COVID-19 in relation to any activity permitted by this Order or any business permitted to open under the Order.
- d. In accordance with the Governor's Order 20-06-10-01, if Baltimore City determines that doing so is necessary and reasonable to save lives or prevent exposure to COVID-19, the political subdivision is hereby authorized to issue orders that are more restrictive than this Order ("Local Orders"):
- e. Except as modified by this Mayoral Order, the Mayoral Orders of May 15, May 27 and June 8, 2020 remain in effect.
- II. <u>Gatherings</u> (defined as "an assembly or meeting, especially a social or festive one or one for a specific purpose"). Gatherings include but are not limited to a celebration, event, party, cookout, parade, or a festival).
- a. Outdoor and indoor gatherings at public and private facilities, private homes and any public space are limited to no more than 25 persons; provided however, there must be sufficient space for persons to remain socially distant.
- b. Indoor gatherings at event venues and spaces typically reserved for events are limited to the lesser of 25 persons or 25% of the facility's maximum capacity. However, if any indoor event venue or space is designed to accommodate more than one event, the limitation of the lesser of 25 persons or 25% of the maximum capacity applies to each venue or space, provided that the facility at no time exceeds 25% of its maximum capacity.
- c. Outdoor gatherings at event venues and spaces typically reserved for events are limited to 25 persons.
  - d. There shall be a continued pause on issuing of City permits for events through September 30, 2020.

#### III. Food Service Establishments.

- a. Subject to (b) below, all restaurants, bars, nightclubs and other similar establishments that sell food and beverages or beverages for consumption on-premises ("collectively, "Foodservice Establishments)") may, to the extent permitted by applicable law:
  - 1. serve food and beverages to customers for consumption in outdoor seating areas;
  - 2. sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis;
  - 3. deliver food and beverages to customers off the premises; and
  - 4. effective as of 5:00 p.m. August 7, 2020, serve food and beverages to customers for consumption in indoor seating areas.

#### b. Foodservice Establishments shall:

- 1. require all staff and patrons to wear face coverings, in accordance with the Face Coverings Order;
- 2. not allow the number of persons in the Foodservice Establishment to exceed 25% of the Restaurant's Maximum Occupancy (defined in c. below;
- 3. close indoor dining at 10:00P.M.;
- 4. not serve food in a buffet format;
- 5. not serve customers who are not seated;
- 6. not serve customers beverages if they are not also eating; and
- 7. clean and disinfect each table between each seating in accordance CDC and MDH guidelines, using cleaning products that meet the criteria of the U.S. Environmental Protection Agency for use against COVID-19.

#### c. Definitions

- 1."Maximum Occupancy" means:
  - i. 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; or locations venues, including but not limited to parades, festivals, conventions, and large gatherings and events must be canceled or postponed until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded.
  - ii. If no such certificate has been issued for the Facility by the local fire code official, the maximum occupancy of the Facility pursuant to applicable laws, regulations, and permits.

#### IV. Religious Facilities.

Subject to applicable Local Orders, churches, synagogues, mosques, temples, and other similar religious facilities of any faith in the State of Maryland ("Religious Facilities") may open to the general public, provided, however, that the total number of persons permitted in the Religious

Facility at any one time shall allow sufficient space for social distancing and, shall not exceed 25% of the Religious Facility's maximum capacity.

Religious Facilities shall make every effort to clean the facility between each use, shall require facial covering except when removal is necessary to participate in the religious service and shall require social distancing.

#### V. Retail Establishments and Malls.

Subject to applicable Local Orders and Secretary's Directives:

- i. retail businesses, organizations, establishments, and facilities may remain open to the general public, provided, however, that the total number of persons permitted in a Retail Establishment at any one time shall allow sufficient space for social distancing and, shall not exceed 25% of that Retail Establishment's Maximum Occupancy; and
- ii. shopping centers that have one or more enclosed pedestrian concourses may remain open to the general public, shall allow sufficient space for social distancing and shall not exceed 25% capacity at any one time.
- iii. Grocery stores, convenience stores, farmer's markets, and any other establishment engaged in the retail sale of non-prepared food may remain open and shall continue to ensure compliance with social distancing and masking requirements.

#### VI. Indoor Recreation Establishments.

The following indoor recreational establishments may open to the general public, provided, however, the total number of persons in the indoor recreation establishment, shall allow sufficient space for social distancing and shall at no time exceed 25% of maximum capacity:

- 1. bingo halls;
- 2. bowling alleys;
- 3. pool halls;
- 4. roller and ice skating rinks;
- 5. social and fraternal clubs (including without limitation, American Legion posts, VFW posts, and Elks Clubs) ("Social Clubs"); and
- 6. the indoor areas of any other establishments that are subject to the Admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code.

#### VII. Casinos.

The total number of persons permitted in a Casino at any one time shall allow sufficient space for social distancing and, shall not exceed 25% of the Maximum Occupancy

#### VIII. General Provisions.

- a. If a political subdivision determines that doing so is necessary and reasonable to save lives or prevent exposure to COVID-19, political subdivision is hereby authorized to issue orders that are more restrictive than this Order ("Local Orders"):
- 1. requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or
- 2. requiring individuals to remain indoors or to refrain from congregating.
- b. Local Orders may remain in effect for so long as this Order (as it may be amended from time to time) remains in effect. The authority granted by paragraph I.d. and I.d. is in addition to and not in derogation of, any authority a political subdivision under its charter, laws, ordinances, or regulations.
- c. Each law enforcement officer of the State or a political subdivision shall execute and enforce Governor Hogan's May 27, 2020 Order and this Local Order pursuant to the terms of the Governor's Order 20-05 27-01 which provides that a person who knowingly and willfully violates this Order or any Local Order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.
- d. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, or until rescinded, superseded, amended, or revised by additional orders.
- e. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this order is hereby suspended to the extent of the inconsistency.
- f. The underlined paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.
- g. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

This Executive Order shall take effect August 7, 2020 at 5:00pm.

ATTEST:

CUSTODIAN OF THE CITY SEAL

Alternate

IN WITNESS WHEREOF I HAVE HEREUNTO PLACED MY HAND AND THE GREAT SEAL OF THE CITY OF BALTIMORE

THIS 7th DAY OF August, 2020

BERNARD C. "JACK" YOUNG

MAYOR

CITY OF BALTIMORE

APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE BALTIMORE CITY LAW DEPARTMENT

DANA P. MOORE

**ACTING CITY SOLICITOR** 

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## MAYORAL EXECUTIVE ORDER FURTHER CLARIFYING GUIDANCE Effective November 12, 2020

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by the Governor of Maryland on March 5, 2020 to control and prevent the spread of COVID-19 within the state, and the state of emergency and the catastrophic health emergency still exists;

WHEREAS, the Mayor of Baltimore City has declared a State of Emergency for Baltimore City due to the spread of COVID-19, which is still in place;

WHEREAS, COVID-19 is an infectious and contagious respiratory disease that continues to pose serious health risks for the citizens of Baltimore City, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions;

WHEREAS, the effects of COVID-19 require that local officials be vigilant in advising the citizens of measures they can take to protect health, safety and welfare;

WHEREAS, the Centers for Disease Control (CDC) advises that social distancing is the most effective way of slowing the spread of COVID-19;

WHEREAS, to protect lives and reduce transmission of the novel coronavirus in Baltimore City, it is necessary for individuals to maintain safe distances from each other;

WHEREAS, the latest scientific research and expert guidance support limitations on large gatherings and the use of social distancing practices as a successful method to prevent exposures and transmissions and reduce the threat of COVID-19 to all citizens but are especially important to protect vulnerable populations;

WHEREAS, evidence also suggests that dining establishments and bars are particularly high-risk environments for transmission. Some studies indicate that the single most effective orders for slowing transmission are social distancing orders related to restaurant and bar operations;

WHEREAS, it is vital to reduce the threat of this illness in the community and it is, therefore, necessary and reasonable to set strict limits on congregating;

WHEREAS, the State has implemented measures to reduce community transmission rates of COVID-19, while strategically activating the Maryland Strong: Roadmap to Recovery plan;

WHEREAS, to that end, Governor Hogan has issued a number of Executive Orders allowing for relaxation of certain restrictions on activities and businesses in the State the most recent being an Executive Order dated October 16, 2020 allowing reopening of certain businesses and facilities, subject to local regulation, and generally requiring use of face coverings ("Order No. 20-16-10-02");

WHEREAS, in response to the various executive orders of the Governor and taking into account the data related to Baltimore City, the Mayor has issued a number of Mayoral Orders aimed at reducing community transmission rates while strategically advancing Baltimore's Public Health & Economic Recovery to COVID-19, the most recent being the September 8, 2020 Mayoral Executive Order Partial Reopening Pursuant to Phase Two;

WHEREAS, Order No. 20-16-10-02 authorizes political subdivisions such as Baltimore City to issue local orders that are more restrictive than Order No. 20-16-10-02, such as those requiring any businesses, organizations, establishments, or facilities to close or modify their operations and/or requiring individuals to remain indoors or to refrain from congregating, if deemed necessary and reasonable to save lives or prevent exposure to COVID-19;

WHEREAS, between October 12, 2020 and Oct 31, 2020, the 7-day averages for rate of new COVID-19 cases per 100,000 increased 125% among Baltimore City residents and for percent positivity for COVID-19 tests among city residents increased by 124%;

WHEREAS, for the period October 2, 2020 through November 7, 2020, the number of COVID-19 patients in acute care beds increased 123% and the number of COVID-19 patients in ICU beds increased 113% in Baltimore City hospitals;

WHEREAS, between September 30, 2020 and November 5, 2020 the daily number (7-day average) of COVID-19 admissions to city hospitals increased by 100%;

WHEREAS, in light of these findings and in order to lessen the economic impact of restaurant and bar closures but still address these increases and slow any further spread of COVID-19, it is necessary to impose additional restrictions; and

WHEREAS, the Mayor of Baltimore City has consulted with public health experts and has concluded that the City must reintroduce certain restrictions in order to save lives or prevent exposure to COVID-19, as set forth herein.

NOW THEREFORE, I, Mayor Bernard C. "Jack" Young, Mayor of the City of Baltimore, in consultation with the Commissioner of Health for Baltimore City and by virtue of the authority vested in me by the Governor's Orders, do hereby issue the following Executive Order:

#### BE IT ORDERED THAT

#### I. Administrative Provisions

- A. This Mayoral Order continues the Order of June 8, rescinding the Stay at Home provisions in prior Mayoral Orders. Residents, however, should continue to stay at home and continue to work from home when possible. Older and more vulnerable residents, and those who live with them, are strongly advised to stay home whenever possible.
- B. Residents and visitors should practice safe physical distancing, comply with the Health Commissioner Updated Directive and Order Regarding Face Coverings in Public dated November 12, 2020 (the "Updated Masking Order") and frequently wash their hands and sanitize high-touch areas. Employers should continue to encourage telework for their employees when possible.
- C. The Mayoral Orders of June 22, 2020, July 22, August 7, 2020 and September 8, 2020, to the extent that they are inconsistent with this Mayoral Order, are rescinded. This Order also amends or augments previous orders of the Mayor of Baltimore City regarding operations of businesses, establishments, facilities covered by this Mayoral Executive Order.
- D. The Baltimore City Health Commissioner may issue orders not inconsistent with this Order that are necessary to monitor, prevent, and reduce the spread of and suppress, COVID-19 in relation to any activity permitted by this Order or any business permitted to open under the Order.

- E. In accordance with Order No. 20-16-10-02, if Baltimore City determines that doing so is necessary and reasonable to save lives or prevent exposure to COVID-19, the political subdivision is hereby authorized to issue orders that are more restrictive than this Order ("Local Orders"):
  - 1. requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or
  - 2. requiring individuals to remain indoors or to refrain from congregating.

### II. Gatherings

Gatherings (defined as "an indoor or outdoor assembly or meeting, especially a social or festive one or one for a specific purpose"). Gatherings include but are not limited to a celebration, event, party, cookout, parade, or a festival.

- A. Outdoor and indoor gatherings at public and private facilities, private homes and any public space are limited to no more than 10 persons; provided however, there must be sufficient space for persons to remain socially distant.
- B. Gatherings at event venues and spaces with a fire marshal-rated certificate of maximum occupancy are permitted to open at up to 25% of the facility's maximum capacity. If any indoor event venue or space is designed to accommodate more than one event, the limitation of 25% of the maximum capacity applies to each venue or space, provided that the facility at no time exceeds 25% of its maximum capacity.
- C. Gatherings at locations and spaces with no fire marshal-rated certificate of maximum occupancy are limited to 10 persons.
- D. Sports gatherings are permitted. Spectators are permitted only as provided in B and C above, whichever is applicable; provided however, that the limit for spectators at home Baltimore Ravens professional football games shall be governed by Order No. 20-16-10-02 which provides in pertinent part that the number of spectators for each designated section in the stadium is limited to 10%. Face covering and social distancing is required for anyone not participating in the sporting activity.
- E. Permitted or otherwise authorized youth Sports gatherings are authorized

with no spectators (except parents or legal guardians) and face covering and social distancing are required.

## III. Religious Facilities

A. Subject to any applicable State Orders, Secretary's Directives or Local Health orders, churches, synagogues, mosques, temples, and other similar religious facilities of any faith in Baltimore City (Religious Facilities") may open to the general public, provided, however, that the total number of persons permitted in the Religious Facility at any one time shall not exceed 25% of the Religious Facility's maximum capacity (defined below).

Religious Facilities shall make every effort to clean the facility between each use, shall require facial covering except when removal is necessary to participate in the religious service and shall encourage social distancing.

#### IV. Retail Establishments and Malls.

Subject to applicable State Orders, Secretary's Directives or Local Health orders:

- A. Retail businesses, organizations, establishments, and facilities in the State of Maryland ("Retail Establishments") may open to the general public, provided, however, that the total number of persons permitted in a Retail Establishment at any one time shall not exceed 25% of that Retail Establishment's Maximum Occupancy (defined below).
- B. Shopping centers in the State of Maryland that have one or more enclosed pedestrian concourses may open to the general public not to exceed 25% capacity at any one time.
- C. Businesses with a BD7 or D tavern license and with a separate packaged goods section that was in operation prior to March 5, 2020, may operate under and subject to this section IV.
- D. In accordance with Maryland State interpretive guidance issued by the Office of Legal Counsel on March 23, 2020, businesses in the food and agriculture sector were permitted to remain open including, but not limited to, grocery stores and farmer's markets. As such, Northeast Market, Lexington Market, Hollins Market, Avenue Market and similar markets are permitted to remain open subject to the CDC guidance, social distancing and masking guidelines.

#### V. Indoor Recreational Establishments.

A. Provided that there is sufficient space for social distancing and masks are worn as required in the Updated Masking Order and subject to applicable State Orders, Secretary's Directives or Local Health orders, the following establishments in Maryland ("Indoor Recreation Establishments") may open to the general public, effective as of 5:00 p.m. on November 12, 2020 at 25% of maximum capacity:

- 1. bingo halls;
- 2. bowling alleys;
- 3. pool halls;
- 4. roller and ice skating rinks;
- 5. social and fraternal clubs (including without limitation, American Legion posts, VFW posts, and Elks Clubs) ("Social Clubs"); and
- 6. the indoor areas of any other establishments that are subject to the Admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code;

## B. As used in this paragraph:

- 1. the term "indoor area" has the meaning provided in COMAR10.19.04.02. B (9); and
- 2. the term "outdoor area" means an area that is not an indoor area.

#### VI. Other Recreational Establishments.

A. Subject to any applicable State Orders, Secretary's Directives or Local Health orders, the following establishments in Baltimore City may open to the general public at 25% of maximum capacity:

- 1. golf courses and driving ranges;
- 2. outdoor archery and shooting ranges;
- 3. marinas and watercraft rental businesses;
- 4. campgrounds;
- 5. horse boarding and riding facilities;
- 6. indoor pools Subject to the requirements imposed by MDH Order 20-6-10-03:
  - I. The total number of persons permitted in an indoor facility (indoor pools, fitness centers or aquatic centers) at any one time shall not

exceed 25% of that facility's maximum occupancy as defined in the Executive Order No. 20-16-10-02.

- 7. outdoor day camps;
- 8. tour boats;
- 9. the outdoor areas of any other establishments that are subject to the Admission and amusement tax under Title 4 of the Tax-General Article of the Maryland Code;
- B. Subject to VI.A. and to applicable State Orders, Secretary's Directives or Local Health orders, any indoor areas are limited to 25% of maximum capacity.

#### VII. Foodservice Establishments

A. Subject to B. below, any applicable State Orders, Secretary's Directives or Local Health orders, all restaurants, bars, nightclubs, adult entertainment and other similar establishments that sell food or beverages for consumption on-premises and Social Clubs or facilities of any kind with dining facilities (collectively, "Foodservice Establishments") may, to the extent permitted by applicable law:

- 1. serve food and beverages to customers for consumption in outdoor seating areas;
- 2. sell food and beverages that are promptly taken from the premises, i.e., on a carry-out or drive-through basis;
- 3. deliver food and beverages to customers off the premises; and
- 4. serve food and beverages to customers for consumption in indoor seating areas.

#### B. Foodservice Establishments shall:

- 1. require all staff to wear Face Coverings, in accordance with the Face Coverings Order (defined below);
- 2. not allow the number of persons in an indoor seating area of the Foodservice Establishment to exceed 25% of the Foodservice Establishment's Maximum Occupancy (defined below);
- 3. close indoor dining at 11:00 p.m.;
- 4. not serve food in a buffet format;
- 5. not serve customers who are not seated and eating;
- 6. not serve customers beverages in indoor seating areas if they are not also eating; and
- 7. clean and disinfect each table between each seating in accordance CDC

and MDH guidelines, using cleaning products that meet the criteria of the U.S. Environmental Protection Agency for use against COVID-19.

## C. As used in this paragraph VII:

- 1. the term "indoor seating area" means a portion of a Foodservice Establishment that is an indoor area, as defined in COMAR 10.19.04.02.B(9);
- 2. the term "outdoor seating area" means a portion of a Foodservice Establishment that is not an indoor seating area; and
- 3. taverns and bars licensed as "Low Priority" food service facilities are not permitted to be open for indoor service but may provide carry out service provided that the beverages are in closed containers.

#### VIII. Fitness Centers

A. Subject to applicable State Orders, Secretary's Directives or Local Health orders, fitness centers, health clubs, health spas, gyms, aquatic centers, and self-defense schools in Baltimore City ("Fitness Centers") may open to the general public; provided, however, that the total number of persons permitted in a Fitness Center at any one time shall not exceed 25% of that Fitness Center's Maximum Occupancy (defined below).

- 1. Staff and patrons shall wear facial covering to the maximum extent possible.
- 2. Staff shall clean equipment between each use in accordance with CDC and MDH guidance.

#### IX. Casinos

The total number of persons permitted in a casino at any one time shall not exceed 25% of its Maximum Occupancy (defined below).

#### X. Personal Services

A. Subject to applicable State Orders, Secretary's Directives or Local Health orders and paragraph B. and C. below, the following establishments in Baltimore City ("Personal Services Establishments") may open to the general public:

## 1. beauty salons;

- 2. barber shops;
- 3. tattoo parlors;
- 4. tanning salons;
- 5. massage parlors; and
- 6. establishments that provide esthetic services or provide nail technician services (as described in Title 5 of the Business Occupations Article of the Maryland Code);
- B. All customers over the age of two are required to comply with the Updated Masking Order while inside any Personal Services Establishment.

#### C. Personal Services Establishments shall:

- 1. require staff to wear Face Coverings while in areas open to the general public and areas in which interaction with other staff is likely;
- 2. provide services on an appointment basis only and keep a log of each customer's name and that of anyone who accompanied them to the appointment and the name of the person who provided their services;
- 3. not allow the number of persons in the Personal Service Establishment to exceed 25% of the Personal Service Establishment's Maximum Occupancy (defined below); and
- 4. after providing services to each customer, clean and disinfect the area in which services were performed in accordance with applicable guidelines from the CDC, MDH, and the Baltimore City Health Department.

#### XI. Other Businesses.

Except as otherwise closed by this Order or other Mayoral or Governor's Order and subject to applicable Local Health Commissioner's Orders and Secretary's Directives and the provisions contained herein, businesses, organizations, establishments, and facilities that are not part of the critical infrastructure sectors identified by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (currently described at <a href="https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19">https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19</a>) may open at 25% of maximum capacity to the general public including zoos, aquariums and museums.

#### XII. Theaters and Outdoor Entertainment Venues.

Subject to applicable State Orders, Secretary's Directives or Local Health orders:

- A. theaters in Maryland at which live performances occur or motion pictures are shown indoors ("Indoor Theaters") may open to the general public; provided, however, that the total number of persons permitted in an Indoor Theater at any one time (per individual auditorium or performance stage) shall not exceed 25% of that Indoor Theaters' Maximum Occupancy (defined below); and
- B. venues in Maryland at which live performances occur or motion pictures are shown outdoors, and at which entry is limited to ticketed customers ("Outdoor Entertainment Venues"), may open to the general public; provided, however, that the total number of persons permitted in an Outdoor Entertainment Venue at any one time shall not exceed 25% of that Outdoor Entertainment Venue's Maximum Occupancy (defined below).

#### XIII. Definitions

- A. "Maximum Occupancy" means:
  - 1. 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;
  - 2. If no such certificate has been issued for the Facility by the local fire code official, the maximum occupancy of the Facility pursuant to applicable laws, regulations, and permits.

## XIV. Face Coverings.

A. The use of face coverings is required as more fully set forth in the Updated Masking Order.

## XV. Businesses, Organizations, Establishments, and Facilities Required to Close.

A. Senior Centers. All senior citizen activities centers (as defined in Section 10-501(a) of the Human Services Article of the Maryland Code) shall remain closed.

- 1.Staff and owners may continue to be on-site at any business, organization, establishment, or facility that is required to be closed pursuant to this Order for only the following purposes:
  - if. Facilitating remote working (a/k/a/ telework) by other staff;

- ii. Maintaining essential property;
- iii. Preventing loss of, or damage to property, including without limitation, preventing spoilage of perishable inventory;
- iv. Performing essential administrative functions, including without limitation, picking up mail and processing payroll; and
- v. Caring for live animals.
- B. Closure by Other Order. All businesses, organizations, establishments, and facilities that are required to close pursuant to any other Order of the Governor of the State of Maryland or any other Order of a political subdivision, shall be and remain closed in accordance with such other Order, as the case may be.

## XVI. Government Buildings and Facilities with Large Occupancy or Attendance.

- A. State and local government buildings and facilities with an expected occupancy or attendance of more than 10 people shall:
  - 1. Promptly and conspicuously post in the building or facility a copy of the MDH recommendations for social distancing; and
  - 2. Provide all occupants and attendees with the capability to wash their hands.
- B. A copy of this Order shall be made available to all occupants or attendees at any State or local government building and facility with an expected occupancy or attendance of more than 10 people.

#### XVII. General Provisions

- A. All businesses, organizations, establishments, and facilities that are permitted to be open under this Mayoral Order shall comply with:
  - 1. applicable Local and Governor's Orders;
  - 2. applicable Directives issued by the Maryland Secretary of Health;
  - 3. applicable social distancing guidance published by the CDC and the Maryland Department of Health; and
  - 4. orders issued by the applicable Local Health Officer/Mayor.
- B. Each law enforcement officer of the State or a political subdivision shall execute and enforce Order No. 20-10-16-02 and this Local Order pursuant to the terms of Order No, 20-10-16-02 which provides that a person who knowingly and willfully violates this Order or any Local Order is guilty of a misdemeanor and on

conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.

- C. In accordance with the Governor's Order allowing for local decision making, the Mayor reserves the right to rescind any or all parts of this Order and the Stay at Home Order or issue a new order revising this mayoral order, in the event that this Order is not complied with or if it is in the public health interest of the citizens of Baltimore City to reinstate restrictions.
- D. This Order remains effective until after termination of the state of emergency and the proclamation of the catastrophic health emergency has been rescinded, until rescinded, superseded, amended, or revised by additional orders.
- E. The effect of any statute, rule, or regulation of an agency of the State or a political subdivision inconsistent with this order is hereby suspended to the extent of the inconsistency.
- F. The bold paragraph headings in this Order are for convenience of reference only and shall not affect the interpretation of this Order.
  - 1. If any provision of this Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Order are severable.

This Executive Order shall take effect Thursday, November 12, 2020 at 5:00 p.m.

IN WITNESS WHEREOF I HAVE HEREUNTO PLACED MY HAND AND THE GREAT SEAL OF THE CITY OF BALTIMORE

THIS 10th DAY OF November, 2020

ATTEST:

JSTODIAN OF THE CLTY SEAL

BERNARD C. "JACK" YOU MAYOR,

CITY OF BALTIMORE

APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE BALTIMORE CITY LAW DEPARTMENT

DANA P. MOORE

**ACTING CITY SOLICITOR** 



### **Liquor Board System**

Version 1.0

Annual-Renewal ▼ | License-Transfer ▼ | One-Day ▼ | Add New License ▼ | Query ▼ | Help ▼

License Detail

Close the License

**Print License** 

Print Renewal Letter

<< Go Back

CORP //

License Info

License Num: LB 187

Cert Num: 0891

Fee: \$1,320.00

Status: Renewed

License Date:5/1/2020 CR Number: 16316250 License Year: 2020

Payment Date: \*\*\*\*

100

2019 - 2020 TPP Paid 🗌

2020 Trader's License

Update Info

Click to Start License Renewal

Add Adult Entertainment License

Add New Adult Entertainement License

Location

Corp Name: EL RINCON TRONCALENO, LLC Trade Name: EL RINCON TRONCALENO

Zone Code: 11

Phone: 443-276-0200

Block Num: 422-26

Street: MACON STREET SOUTH

City: BALTIMORE

State: MD

Zip: 21224

CR Number: 16316250

Portion of Business Used:

(USE) OF PREMISE AS A RESTAURANT AND BAR 3 DWELLING UNITS IST FLOOR 2ND FLOOR 3 DWELLING UNITS BASEMENT ACCESSORY STORAGE

Restriction:

LICENSED PREMISES MAY REMAIN OPEN AFTER 2 A.M. FOR THE PURPOSE OF SERVING FOOD TO PATRONS SEATED AT TABLES FOR DINING.

Edit the License Location Info	Alternate Mailing Address
***************************************	

#### License Owners

First Name	Last Name	Street	City	State	Zip	Action	Change Owner
JACSON	MUNOZ	3812 ANNAPOLIS RD	Baltimore	MD	21227	Edit	Remove Owner
MARILYN	MUNOZ	403 KINGSTON RD	Baltimore	MD	1	Edit	Remove Owner

Comments

Date	Comment	Action
12/02/2020	On 11/30/2020 - PAID IN FULL for Violation Hearing dated October 20, 2020; Invoice #120209/sb	Delete
11/05/2020	Given an Invoice to Chief Inspector John for Violation Hearing fee dated on October 20, 2020 Fine Fee to be paid \$925.00 /mb	Delete
	10/20/2020 - Virtual Public Hearing Re: Violation of Rule 4.16 Illegal Conduct; Violation of Rule 3.12 General Welfare; Violation of Rule 3.12 General Welfare; and Violation of Rule 4.16 Illegal Conduct - DENIAL - GUILTY - Rule 4.16(8/10/2020)-Fined \$200; Rule 3.12(8/10/2020)-Fined \$200; Rule 3.12(8/12/2020)-Fined \$200; and Rule 4.16 (8/12/2020-Fined \$200; \$800 + \$125 admin fee; \$925 total fine, 30 days to pay (2-0 vote)/jr	Delete
10/20/2020	10/20/2020 Violation Hearing Penalty Assessment Notice mailed today to Atty. Pete Prevas/jr	Delete
09/09/2020	PAID IN FULL \$775.00FOR VIOLATION HEARING DATED 8/4/2020; INVOICE# 119964K/R	Delete
08/20/2020	Given an Invoice to Chief Inspector John for Violation Hearing fee dated on August 4, 2020 Fine Fee to be paid \$775.00 /mb.	Delete
08/07/2020	08/04/2020 - Virtual Public Hearing Re: Violation of Rule 3.12 General Welfare; Violation of Rule 4.14 Live Entertainment Without Authorization; Violation of Rule 4.16 Illegal Conduct; Rule 3.12 (2/13/2020) - Dismissed, Rule 4.14 (2/13/2020) - Dismissed, Rule 3.12 (2/15/2020) - Fined \$125, Rule 4.14 (2/15/2020) - Fined \$125, Rule 4.14 (2/28/2020) - Fined \$125, Rule 4.16 (7/11/2020) - Fined \$125, Rule 4.16 (7/11/2020) - Fined \$150 - \$650 + \$125 admin fee, \$775 total fine, 30 days to pay (3-0 vote)/sb	Delete
03/10/2020	FOOD FORM WAS SUBMITTED WITH 2020-2021 RENEWAL APPLICATION /sb	Delete
	Letter sent to licensees regarding request to meet with BLLC on 3/11/2020. A copy is placed in the file and will be hand delivered to the location today. TRA.	Delete
04/20/2019	Re: Public Hearing 4/18/2019 - Protest of Renewal - Voted to renew (3-0 vote) /kk	Delete
	PAID IN FULL \$2,125.00 for Violation Hearing dated on December 06, 2018; Invoice #113960 /sb	Delete
	Given an Invoice to Chief Inspector M. Fosler for Violation Hearing fee dated on December 6, 2018; Fine Fee to be paid for \$2,125.00 /mb.	Delete
	12/6/2018 - Public Hearing RE: Violation of Rule 3.12 General Welfare and Violation of Rule 4.16 lllegal Conduct - ADMISSION OF GUILT - Rule 3.12-Fined \$1,000; Rule 4.16-Fined \$1,000; \$2,000 + \$125 admin fee; \$2,125 total fine, 30 days to pay (3-0 vote)/jr	Delete
10/12/2018	*******PAID IN FULL; Invoice #113590******10/11/2018 - Public Hearing RE: Violation of Rule 4.01 (a) Sales to Minors and Violation of Rule 3.03(c) Employee Records - ADMISSION OF GUILT - Rule 4.01(a)-Fined \$1,000; Rule 3.03(c)-Fined \$200; \$1,200 + \$125 admin fee; \$1,325 total fine, 30 days to pay (3-0 vote)/jr	Delete
	10/11/2018 - Public Hearing RE: Violation of Rule 4.01(a) Sales to Minors and Violation of Rule 3.03(c) Employee Records - ADMISSION OF GUILT - Rule 4.01(a)-Fined \$1,000; Rule 3.03(c)-Fined \$200; \$1,200 + \$125 admin fee; \$1,325 total fine, 30 days to pay (3-0 vote)/jr	Delete
05/25/2018	5/24/2018 - Public Hearing RE: Violation of Rule 4.01(a) Sales to Minors - GUILTY - Rule 4.01(a) Fined \$250 + \$125 admin fee, \$375 total fine, 30 days to pay (3-0 Vote)/jr	Delete
05/24/2018	PAID IN FULL \$375.00 for Violation Hearing dated May 24, 2018; Invoice #112611/sb	Delete
03/19/2018	Food Form was attached to 2018 renewal applicationk/r	Delete
	*****RELEASED MD STATE TAX HOLD /mb	Delete
	*******2017 RENEWAL INFORMATION*****Please HOLD 2017 license due to nonsubmision of 2016 food form. License will not be release until staff receive required formk/rper D.Paige	Delete
12/21/2016	12/15/2016 Public Hearing re: Application to transfer ownership- APPROVED (3-0 vote)	Delete
10/19/2016	Maryland sales tax HOLD (CR#15591843)k/r	Delete
09/13/2016	Letter sent on 9/2/2016 in reference to 2016 food form submission. Establishment had 10 days from that date of letter to submit the form. At this time there has been no responsek.r	Delete
09/02/2016	6/23/2016 Public Hearing re: Violation of Rule 4.01(a) Sales to Minors -Admission of Guilt. Board fined the licensee \$500 +\$125 admin fee (\$625 Total Fine)	Delete
08/08/2016	Licensee paid \$625.00 Violation Hearing dated July 23, 2016. Invoice#'s 103923 = \$300.00; 103924 = \$300.00; 103925 = \$625.00 /sb	Delete
08/03/2016	Gave Invoice and Violation decision to Chief Inspector Fosler to pick up liquor license that was due by July 23, 2016 /sb	Delete
0//20/2010	07/25/16 - Mailed letter to Licensee about "Personal Property Tax Owed to the City of Baltimore" /sb	Delete
07/19/2016	Owes \$625.00 from Violation Hearing Dated June 23, 2016/sb	Delete

03/10/2015	Hearing Dated: February 05, 2015, \$2,000 fine + \$125 Admin Fee. Invoice #95876.	Delete
	02/5/15 Public Hearing re: Violation of Rule 4.05(a) dismissed Violation of Rule 3.12,\$500 fine Violation of Rule 4.02 \$500 fine , Violation of Rule 4.18 \$500 fine, Violation of Rule 3.03 \$500 fine GUILTY (\$2125 Total Fine)	Delete
11/18/2014	10/23/2014 Public Hearing re: Violation of Rule 4.05(a), Violation of Article 2B Section 11-304(d) (2). POSTPONED	Delete
04/22/2014	04/10/2014 Public Hearing re: Application to transfer ownership . Board APPROVED the transfer	Delete
05/24/2013	5/2/2013 Public Hearing re: PROTEST OF RENEWAL. DISMISSED.	Delete
05/24/2013	4/18/2013 Public Hearing re: PROTEST OF RENEWAL. POSTPONED.	Delete
	2/21/2013 Public Hearing re: VIOLATION of Rule 4.01(a) Sale to minor 1/23/13. GUILTY \$500	Delete
	10/25/2012 Public Hearing re: Review of long standing trensfer. Board GRANTED 30 day extension.	Delete
06/15/2012	6/14/2012 Public Hearing re: Review of long standing transfer. Board GRANTED 60day extension from date of hearing.	Delete
	3/24/11 Public Hearing re: Application to transfer ownership and to add outdoor table service where establishment has been closed for more than 90 days. GRANTED.	Delete
	10/10 Transfer of Ownership & request to add live entertainment, B-BWL restaurant license, Manafoula Minadakis	Delete
06/25/2007	06/21/07 Transfer Conference re: Review of transfer application pending for more than 180 days. DECISION: NO CONFERENCE FEE.APPLICANTS AND ATTORNEY DID NOT SHOW UP FOR HEARING. AT 11:21 AM, THE BOARD CALLED THE CASE WITH NO EVIDENCE TO PRESENT. THE BOARD DECIDED TO DISALLOW THE TRANSFER BASED ON THE LACK OF TESTIMONY.	Delete
09/08/2006	09/08/06 CONF.FEE \$100 PAID IN FULL #57509	Delete
09/08/2006	09/07/06 Transfer Conf.re: Application to transfer ownership presently in the name of Christovalantis Minidakis,Macon Street LLC,t/a Kaliope's Family Restaurant where the establishment has been closed for more than 90 days.DECISION: TRANSFER APPROVED.	Delete
03/01/2004	7/18/96 Public hearing re: Application for a new Class "B BWL i restaurant license under the provisions of Article 2B, Section i 9-102(b-3A) re: \$250,000 capital investment in restaurant i facilities and seating capacity for a minimum of 125 persons i (second Class "B" BWL restaurant license) APPROVED	Delete

Print History (Print Card)

License num	: LB 187
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Address: 422-26 MACON STREET SOUTH

Trade Name: EL RINCON TRONCALENO

Comment:		
The state of the s		
	Add Comment	1

**Hold Info** 



## EL RINCON TRONCALENO LLC: W17140773

Department ID Number:

W17140773

Business Name:
EL RINCON TRONCALENO LLC
Principal Office:
422-26 S. MACON ST.
BALTIMORE MD 21224
Resident Agent:
JACSON G MUNOZ
3812 ANNAPOLIS RD.
HALETHORPE MD 21227
Status:
ACTIVE
No.
Good Standing:
THIS BUSINESS IS IN GOOD STANDING
Business Type:
DOMESTIC LLC
Business Code:
20 ENTITIES OTHER THAN CORPORATIONS
Date of Formation/ Registration:
03/25/2016
State of Formation:
MD
Stock Status;
N/A
Close Status:
N/A
IN/O