

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**THURSDAY, MARCH 4, 2021
WEBEX VIRTUAL HEARING
BALTIMORE, MARYLAND**

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

Violations Docket – Violation of Rule 4.16 and Rule 3.12

11:00 AM

Baltimore Eagle, LLC, t/a Baltimore Eagle
2022 N. Charles Street, Baltimore MD 21218

License # LBD7 401 (19-20)
12th Councilmanic District (Stokes)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:20 p.m. on November 20, 2020 members of the BLLC responded to the establishment with the Social Club Task Force, which consists of the Baltimore City Police Department, Baltimore City Fire Department, Baltimore City Housing Department, and Baltimore City Health Department. Upon arrival, inspectors observed about 10 patrons in the outdoor area of the establishment seating and consuming solely alcoholic beverages, which was in violation of Mayor Young’s Executive Order issued on November 12, 2020, requiring all patrons to be seated and eating food if they were provided alcoholic beverage service. The licensed establishment did not have a fully functioning kitchen that was preparing and making food at the time of inspection.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 9:20 p.m. on November 20, 2020 members of the BLLC responded to the establishment with the Social Club Task Force, which consists of the Baltimore City Police Department, Baltimore City Fire Department, Baltimore City Housing Department, and Baltimore City Health Department. Upon arrival, inspectors observed about 10 patrons in the outdoor area of the establishment seating and consuming solely alcoholic beverages, which was in violation of Mayor Young’s Executive Order issued on November 12, 2020, requiring all patrons to be seated and eating food if they were provided alcoholic beverage service. The licensed establishment did not have a fully functioning kitchen that was preparing and making food at the time of inspection.

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

Location Violation History: None.

Witnesses: John Chrissomallis – BLLC Chief Inspector

Disposition: Attorney Peter Prevas requested a postponement on the record. The Board has granted the request for postponement. This matter will be scheduled for 3/18/2021.

Violations Docket – Violation of Rule 4.16 and Rule 3.12

11:00 AM

Barracuda, LLC, t/a Barracuda

License # LBD7 071

1230 E. Fort Avenue, Baltimore MD 21230

11th Councilmanic District (Costello)

Attorney for Applicant: N/A

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:30 p.m. on July 20, 2020 members of the BLLC responded to a 311 call for service for another location. Upon leaving the scene, the inspector drove past this establishment at 1230 E. Fort Avenue and decided to conduct an inspection to determine whether or not the establishment was following Mayor Young’s Executive Order issued on July 22, 2020. Upon entering the establishment, the inspector observed 5 patrons seated at the bar with alcoholic beverages and food. At that time, the inspector asked the bartender why the patrons were seated at the bar and the response from the bartender was that the patrons were “escaping the storm”. While “sheltering from the storm” was not a violation, the establishment cannot provide indoor consumption of alcoholic beverages or food under the Mayor’s Executive Order.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 9:30 p.m. on July 20, 2020 members of the BLLC responded to a 311 call for service for another location. Upon leaving the scene, the inspector drove past this establishment at 1230 E. Fort Avenue and decided to conduct an inspection to determine whether or not the establishment was following Mayor Young’s Executive Order issued on July 22, 2020. Upon entering the establishment, the inspector observed 5 patrons seated at the bar with alcoholic beverages and food. At that time, the inspector asked the bartender why the patrons were seated at the bar and the response from the bartender was that the patrons were “escaping the storm”. While “sheltering from the storm” was not a violation, the establishment cannot provide indoor consumption of alcoholic beverages or food under the Mayor’s Executive Order.

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

Location Violation History: May 24, 2018 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$475

January 1, 2018 – Violation of Rule 4.16 (Illegal Conduct) and Rule 4.16 (Illegal Conduct) – Fined \$625

Witnesses: William Hughes, III – Licensee, Jean Reed – Manager, Kenyatta Washington – BLLC Inspector

Disposition: The Board dismissed Rule 4.16 and Rule 3.12 on July 30, 2020 and waived the administrative fee of \$125; no fine assessed.

Violations Docket – Violation of Rule 4.16 and Rule 3.12

11:00 AM

110 Water Street Series 274, LLC, t/a Supano’s Steak House

110 Water Street, Baltimore MD 21201

License # LB 144

Attorney for Applicant: N/A

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 11:00 p.m. on August 22, 2020 members of the BLLC responded to a 311 complaint call alleging that the licensee's outdoor tables were blocking the sidewalk and not set up for the proper social distancing per Mayor Young's Executive Order issued on August 7, 2020. On August 14, 2020, during a visit with the Social Club Task Force, the inspectors had issued a final warning to the establishment due to a prior violation of the Mayor's Executive Order. Upon arriving at the location on August 22, 2020, the inspectors observed the tables were blocking the sidewalk and not set up for the proper social distancing. The Manager was informed of the violation and was instructed to come into compliance.

Alleged violation of Rule 3.12 (General Welfare) when at approximately **Alleged violation of Rule 4.16 (Illegal Conduct)** when at approximately 11:00 p.m. on August 22, 2020 members of the BLLC responded to a 311 complaint call alleging that the licensee's outdoor tables were blocking the sidewalk and not set up for the proper social distancing per Mayor Young's Executive Order issued on August 7, 2020. On August 14, 2020, during a visit with the Social Club Task Force, the inspectors had issued a final warning to the establishment due to a prior violation of the Mayor's Executive Order. Upon arriving at the location on August 22, 2020, the inspectors observed the tables were blocking the sidewalk and not set up for the proper social distancing. The Manager was informed of the violation and was instructed to come into compliance.

Corporate Standing: 110 Water Street Series, LLC is an active Maryland corporation in good standing as of December 20, 2020.

Location Violation History: October 20, 2020 – Violation of Rule 3.09(b) (Rest Room Facilities and Health Regulations) – Licensee FTA – Fined \$425
January 19, 2017 – Violation of Rule 4.16 (General Welfare) and Rule 4.01(a) (Sales to Minors) – Fined \$625

Witnesses: Terry Coffman – Licensee, Darryl Clark – BLLC Agent Inspector, Andy Perez – BLLC Agent Inspector, Cindy-Leigh Tudhope – BLLC Inspector, Rosalba Jordan – BLLC Inspector, John Chrissomallis – BLLC Chief Inspector

Disposition: The Board has found that the licensee violated Rule 4.16 and Rule 3.12 on August 22, 2020 and imposed a fine of \$100 and an administrative fee of \$125, both payable within 30 days.

**Violations Docket – Violation of Alc. Bev. Art. 12-905(d)(2), Rule 4.05(b), 11:00 AM
Rule 4.16, and Rule 3.12**

Sole Proprietorship, t/a Winston Lounge
2343 E. Monument Street, Baltimore MD 21205

License # LBD7 287 (19-20)
13th Councilmanic District (Glover)

Attorney for Applicant: Melvin Kodenski

Alleged violation of Alc. Bev. Art. 12-905(d)(2) when at approximately 10:17 p.m. on October 30, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was following the limited hours of operation proscribed by HB954 that went into effect on July 1, 2020, restricting the establishment's hours to open at 9:00 a.m. and close at 10:00 p.m. While at the location, the inspectors observed a female enter the location at the rear of the establishment. To gain entry, she had to knock on two sets of doors. At 10:27 p.m., the inspectors observed a male knocking on the rear door of the establishment, followed by another male knocking on the rear door at 10:38 p.m. trying to gain entry. At this time, the inspectors exited their vehicle and entered the establishment. Once inside, they observed 3 males within the establishment, 2 males behind the bar and another standing near the bar. The inspectors also observed 2 drinks served in whiskey glasses on the bar at the time of entry. The manager informed the inspectors that the males were employees of the establishment, but was unable to produce employee records. Inspectors determined that the manager was not operating his kitchen and could not provide any food to customers. The inspectors informed the manager of the violation of HB954 and the Mayor's Executive Order issued on September 8, 2020. After exiting the establishment, the inspectors returned to their vehicle to monitor the establishment and observed 4 females leave the establishment.

Alleged violation of Rule 4.05(b) (Prohibited Hours) when at approximately 10:17 p.m. on October 30, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was following the limited hours of operation proscribed by HB954 that went into effect on July 1, 2020, restricting the establishment's hours to open at 9:00 a.m. and close at 10:00 p.m. While at the location, the inspectors observed a female enter the location at the rear of the establishment. To gain entry, she had to knock on two sets of doors. At 10:27 p.m., the inspectors observed a male knocking on the rear door of the establishment, followed by another male knocking on the rear door at 10:38 p.m. trying to gain entry. At this time, the inspectors exited their vehicle and entered the establishment. Once inside, they observed 3 males within the establishment, 2 males behind the bar and another standing near the bar. The inspectors also observed 2 drinks served in whiskey glasses on the bar at the time of entry. The manager informed the inspectors that the males were employees of the establishment, but was unable to produce employee records. Inspectors determined that the manager was not operating his kitchen and could not provide any food to customers. The inspectors informed the manager of the violation of HB954 and the Mayor's Executive Order issued on September 8, 2020. After exiting the establishment, the inspectors returned to their vehicle to monitor the establishment and observed 4 females leave the establishment.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 10:17 p.m. on October 30, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was following the limited hours of operation proscribed by HB954 that went into effect on July 1, 2020, restricting the establishment's hours to open at

9:00 a.m. and close at 10:00 p.m. While at the location, the inspectors observed a female enter the location at the rear of the establishment. To gain entry, she had to knock on two sets of doors. At 10:27 p.m., the inspectors observed a male knocking on the rear door of the establishment, followed by another male knocking on the rear door at 10:38 p.m. trying to gain entry. At this time, the inspectors exited their vehicle and entered the establishment. Once inside, they observed 3 males within the establishment, 2 males behind the bar and another standing near the bar. The inspectors also observed 2 drinks served in whiskey glasses on the bar at the time of entry. The manager informed the inspectors that the males were employees of the establishment, but was unable to produce employee records. Inspectors determined that the manager was not operating his kitchen and could not provide any food to customers. The inspectors informed the manager of the violation of HB954 and the Mayor's Executive Order issued on September 8, 2020. After exiting the establishment, the inspectors returned to their vehicle to monitor the establishment and observed 4 females leave the establishment.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 10:17 p.m. on October 30, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was following the limited hours of operation proscribed by HB954 that went into effect on July 1, 2020, restricting the establishment's hours to open at 9:00 a.m. and close at 10:00 p.m. While at the location, the inspectors observed a female enter the location at the rear of the establishment. To gain entry, she had to knock on two sets of doors. At 10:27 p.m., the inspectors observed a male knocking on the rear door of the establishment, followed by another male knocking on the rear door at 10:38 p.m. trying to gain entry. At this time, the inspectors exited their vehicle and entered the establishment. Once inside, they observed 3 males within the establishment, 2 males behind the bar and another standing near the bar. The inspectors also observed 2 drinks served in whiskey glasses on the bar at the time of entry. The manager informed the inspectors that the males were employees of the establishment, but was unable to produce employee records. Inspectors determined that the manager was not operating his kitchen and could not provide any food to customers. The inspectors informed the manager of the violation of HB954 and the Mayor's Executive Order issued on September 8, 2020. After exiting the establishment, the inspectors returned to their vehicle to monitor the establishment and observed 4 females leave the establishment.

Corporate Standing: N/A

Location Violation History: March 30, 2017 – Violation of Rule 4.05(a) (Prohibited Hours) and Rule 4.05(b) (Prohibited Hours) – Fined \$625

Witnesses: Mia L. Conaway – Applicant (proposed licensee), Dwarrew A. Bullock, Jr. – Applicant (proposed licensee)

Disposition: The Board has found that the licensee violated Alc. Bev. Art. 12-905(d)(2), Rule 4.05(b), Rule 4.16 and Rule 3.12 on October 30, 2020 and imposed a fine of \$100 and an administrative fee of \$125, both payable within 30 days.

March 4, 2021

Violations Docket – Violation of Rule 4.16 and 3.12

11:00 AM

Nitro, LLC, t/a Aqua Bar & Grill

License # LBD7 287

3537 E. Fairmount Avenue, Baltimore MD 21224

1st Councilmanic District (Cohen)

Attorney for Applicant: Stephan Fogleman

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:35 p.m. on December 4, 2020 members of the BLLC and members of the Social Club Taskforce responded to the establishment to conduct an inspection of the establishment. Upon arrival, the inspector observed there were two white tents erected that allowed for patrons to consume alcoholic beverages at the tables. The inspector observed individuals seated at the tables consuming alcohol. The inspector then entered the establishment and observed 20 individuals sitting at the bar and seated at tables, but just consuming alcoholic beverages. As per the Fire Department Permit, the maximum occupancy for this location is approximately 48 persons. The inspector contacted the manager on premise and inquired as to whether the proper permits were acquired by the establishment to provide outdoor table service. The manager could not produce any permits regarding the outdoor table service. At that time, the inspector issued violations related to food service and the 25% capacity as per Mayor Young’s Executive Order issued November 12, 2020 and not obtaining the proper permits for outdoor tables service.

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

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

Location Violation History: None since 2009.

Witnesses: Hector Camilo – Licensee, Kenyatta Washington – BLLC Inspector, John Chrissomallis – BLLC Chief Inspector

Disposition: The Board dismissed Rule 4.16 and Rule 3.12 on December 4, 2020 and waived the administrative fee of \$125; no fine assessed.