

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**THURSDAY, MAY 20, 2021
WEBEX VIRTUAL HEARING
BALTIMORE, MARYLAND**

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

**Violations Docket – Violation of Rule 4.16, Rule 3.12, Rule 4.16,
and Rule 3.12** **11:00 AM**

Cat's Eye LTD, t/a Cat's Eye Pub License # LBD7 142
1703 Thames Street, Baltimore MD 21230 1st Councilmanic District (Cohen)

Attorney for Applicant: Stephan Fogleman

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:32 p.m. on April 17, 2021 members of the BLLC received a 311 call complaint and responded to the located identified in the 311 complaint, which was this establishment. BLLC inspectors previously patrolled the Fells Point area on March 17, 2021 and noticed a large number of people standing closely together, not observing social distancing or wearing masks. Upon entering the establishment on March 17, the inspector observed approximately 80 patrons inside the establishment, which was over the 25% maximum indoor capacity set forth by the Mayor's Executive Order effective March 12, 2021. At this time, the inspectors informed the licensee of the violation and issued a written warning. During the 311 investigation on April 17, the inspector observed over 75 patrons in the front room of the establishment and an additional 15 patrons in the back deck area. Throughout the establishment, the inspector observed no social distancing being practiced, patrons not wearing masks, and drinking alcohol when not being seated. The inspector contacted the licensee and informed them that they were over the 50% maximum indoor capacity of 55 persons and other activities which were not permitted by the Mayor's Executive order effective on March 26, 2021. The inspectors issued a violation and the licensee instructed the doorman to lower capacity to be in compliance with the Mayor's Executive Order.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 9:32 p.m. on April 17, 2021 members of the BLLC received a 311 call complaint and responded to the located identified in the 311 complaint, which was this establishment. BLLC inspectors previously patrolled the Fells Point area on March 17, 2021 and noticed a large number of people standing closely together, not observing social distancing or wearing masks. Upon entering the establishment on March 17, the inspector observed approximately 80 patrons inside the establishment, which was over the 25% maximum indoor capacity set forth by the Mayor's Executive Order effective March 12, 2021. At this time, the inspectors informed the licensee

of the violation and issued a written warning. During the 311 investigation on April 17, the inspector observed over 75 patrons in the front room of the establishment and an additional 15 patrons in the back deck area. Throughout the establishment, the inspector observed no social distancing being practiced, patrons not wearing masks, and drinking alcohol when not being seated. The inspector contacted the licensee and informed them that they were over the 50% maximum indoor capacity of 55 persons and other activities which were not permitted by the Mayor's Executive order effective on March 26, 2021. The inspectors issued a violation and the licensee instructed the doorman to lower capacity to be in compliance with the Mayor's Executive Order.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 10:53 p.m. on April 24, 2021 members of the BLLC received a 311 call complaint and responded to the located identified in the 311 complaint, which was this establishment. Upon entering the establishment, the inspectors observed that the bar was heavily crowded, unseated patrons were consuming alcoholic beverages dancing to music being played by a live band, and social distancing was not being practiced, which were in violation of the Mayor's Executive Order issued on March 26, 2021. The inspector asked the doorman the permitted capacity, which they responded with 65, but the inspector observed approximately 80 individuals inside the establishment, which was over the 50% capacity permitted by the Mayor's Executive Order, only permitted 55 individuals to be inside the establishment. At this time, the inspector contacted the licensee and explained the aforementioned violations and the licensee then lowered the capacity to 55 individuals.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 10:53 p.m. on April 24, 2021 members of the BLLC received a 311 call complaint and responded to the located identified in the 311 complaint, which was this establishment. Upon entering the establishment, the inspectors observed that the bar was heavily crowded, unseated patrons were consuming alcoholic beverages dancing to music being played by a live band, and social distancing was not being practiced, which were in violation of the Mayor's Executive Order issued on March 26, 2021. The inspector asked the doorman the permitted capacity, which they responded with 65, but the inspector observed approximately 80 individuals inside the establishment, which was over the 50% capacity permitted by the Mayor's Executive Order, only permitted 55 individuals to be inside the establishment. At this time, the inspector contacted the licensee and explained the aforementioned violations and the licensee then lowered the capacity to 55 individuals.

Corporate Standing: Cat's Eye LTD is an active Maryland corporation in good standing as of May 6, 2021.

Location Violation History: None since 2008.

Witnesses: Anthony Cushing – Licensee, Ana Cushing – Licensee

Disposition: The Board has found that the licensee violated Rule 4.16 and Rule 3.12 on April 17, and Rule 4.16 and Rule 3.12 on April 24, 2021 and imposed a fine of \$200 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.14, Rule 4.16, and Rule 3.12

11:00 AM

Carolina Tex-Mex Restaurant, LLC, t/a Caroline Tex-Mex Restaurant

500 S. Wolfe Street, Baltimore MD 21231

License # LB 176 (2020)

1st Councilmanic District (Cohen)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 4.14 (Live Entertainment without Authorization) when at approximately 10:45 p.m. on March 19, 2021 members of the BLLC responded to a 311 call for loud music coming from the establishment. Upon arrival, the inspectors could hear loud music emanating from the second floor bar, which they were able to hear from across the street. After making this observation, the inspector proceeded to enter the interior of the second floor bar via a stair door located on the Eastern Avenue side of the establishment. Once inside, the inspector observed approximately 3 unmasked individuals who were standing and playing pool while consuming alcoholic beverages, along with a disc jockey (DJ) table set up including turntables, mixers, and amplified speakers. The inspector further observed a group of approximately 8 individuals dancing, unseated, to the music that was being played. The inspector informed the night manager of the complaint and the violations observed. While talking to the manager, an unidentified individual apologized for the loud music and explained that they had rented a portion of the establishment to host a birthday party and that he had brought in the DJ to play music unaware that the establishment was not authorized to have live entertainment. The inspector explained that it is the licensed establishments responsibility and their management to abide by the rules and regulations, not the individual who hosted the party. The inspector also explained that the Mayor’s Executive Order issued on March 12, 2021 did not permit patrons inside the establishment to consume food or beverages or enjoy live entertainment unless they were seated in their seats. At this time, the DJ ceased playing music and all patrons who were drinking while standing went back to their tables.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 10:45 p.m. on March 19, 2021 members of the BLLC responded to a 311 call for loud music coming from the establishment. Upon arrival, the inspectors could hear loud music emanating from the second floor bar, which they were able to hear from across the street. After making this observation, the inspector proceeded to enter the interior of the second floor bar via a stair door located on the Eastern Avenue side of the establishment. Once inside, the inspector observed approximately 3 unmasked individuals who were standing and playing pool while consuming alcoholic beverages, along with a disc jockey (DJ) table set up including turntables, mixers, and amplified speakers. The inspector further observed a group of approximately 8 individuals dancing, unseated, to the music that was being played. The inspector informed the night manager of the complaint and the violations observed. While talking to the manager, an unidentified individual apologized for the loud music and explained that they had rented a portion of the establishment to host a birthday party and that he had brought in the DJ to play music unaware that the establishment was not

authorized to have live entertainment. The inspector explained that it is the licensed establishments responsibility and their management to abide by the rules and regulations, not the individual who hosted the party. The inspector also explained that the Mayor's Executive Order issued on March 12, 2021 did not permit patrons inside the establishment to consume food or beverages or enjoy live entertainment unless they were seated in their seats. At this time, the DJ ceased playing music and all patrons who were drinking while standing went back to their tables.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 10:45 p.m. on March 19, 2021 members of the BLLC responded to a 311 call for loud music coming from the establishment. Upon arrival, the inspectors could hear loud music emanating from the second floor bar, which they were able to hear from across the street. After making this observation, the inspector proceeded to enter the interior of the second floor bar via a stair door located on the Eastern Avenue side of the establishment. Once inside, the inspector observed approximately 3 unmasked individuals who were standing and playing pool while consuming alcoholic beverages, along with a disc jockey (DJ) table set up including turntables, mixers, and amplified speakers. The inspector further observed a group of approximately 8 individuals dancing, unseated, to the music that was being played. The inspector informed the night manager of the complaint and the violations observed. While talking to the manager, an unidentified individual apologized for the loud music and explained that they had rented a portion of the establishment to host a birthday party and that he had brought in the DJ to play music unaware that the establishment was not authorized to have live entertainment. The inspector explained that it is the licensed establishments responsibility and their management to abide by the rules and regulations, not the individual who hosted the party. The inspector also explained that the Mayor's Executive Order issued on March 12, 2021 did not permit patrons inside the establishment to consume food or beverages or enjoy live entertainment unless they were seated in their seats. At this time, the DJ ceased playing music and all patrons who were drinking while standing went back to their tables.

Corporate Standing: Carolina Tex-Mex Restaurant, LLC is an active Maryland corporation not in good standing as of May 6, 2021.

Location Violation History: February 11, 2021 – Violation of Rule 4.16 (Illegal Conduct), Rule 3.12 (General Welfare), and Rule 4.14(a) (Live Entertainment without Authorization – Dismissed) – Fined \$425
November 5, 2020 – Violation of Rule 3.12 (General Welfare) and Rule 3.12 (General Welfare) – Fined \$225

Witnesses: Mayra Bernal – Manager, Yenys Silva – Licensee, Andy Perez – BLLC Agent
Inspector

Disposition: The Board has found that the licensee violated Rule 4.14, Rule 3.12, and Rule 4.16 on March 19, 2021 and imposed a fine of \$300 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.16 and Rule 3.12

11:00 AM

Garden Bar, Inc., t/a Garden Bar

License # LBD7 037

4809-11 Erdman Avenue, Baltimore MD 21205

13th Councilmanic District (Glover)

Attorney for Applicant: N/A

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 12:10 a.m. on March 13, 2021 members of the Baltimore City Police Department, Baltimore City Housing Department, Baltimore City Fire Department, Baltimore City Health Department, and the BLLC conducted a joint inspection of the establishment to determine if the establishment was in compliance with COVID-19 restrictions imposed by the Mayor’s Executive Order issued on March 12, 2021. Upon arrival, inspectors observed approximately 88 individuals inside the establishment, which exceeded the 25% maximum indoor capacity of 54 individuals as their fire marshal ordinary rated capacity allowed for 215 persons. At this time, the inspectors contacted the manager who agreed to voluntarily close the establishment for the night.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 12:10 a.m. on March 13, 2021 members of the Baltimore City Police Department, Baltimore City Housing Department, Baltimore City Fire Department, Baltimore City Health Department, and the BLLC conducted a joint inspection of the establishment to determine if the establishment was in compliance with COVID-19 restrictions imposed by the Mayor’s Executive Order issued on March 12, 2021. Upon arrival, inspectors observed approximately 88 individuals inside the establishment, which exceeded the 25% maximum indoor capacity of 54 individuals as their fire marshal ordinary rated capacity allowed for 215 persons. At this time, the inspectors contacted the manager who agreed to voluntarily close the establishment for the night.

Corporate Standing: Garden Bar, Inc. is an active Maryland corporation in good standing as of May 6, 2021.

Location Violation History: November 21, 2019 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$475

Witnesses: Steven Cotsoradis – Licensee

Disposition: The Board has found that the licensee violated Rule 4.16 and Rule 3.12 on March 13, 2021 and imposed a fine of \$100 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.16 and Rule 3.12

11:00 AM

Sangria, LLC, t/a Sangria

License # LB 224 (2020)

930 N. Charles Street, Baltimore MD 21201

11th Councilmanic District (Costello)

Attorney for Applicant: Justin Williams

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 9:10 p.m. on March 4, 2021 members of the BLLC received a 311 complaint alleging the establishment was playing loud music. Around approximately 9:50 p.m., inspectors arrived and observed a

red SUV blasting music at the parking lot located in the rear of the establishment, but no loud music was emanating from the establishment itself. However, the inspectors observed a large number of patrons entering the establishment, so the inspectors decided to conduct a compliance check to see if the establishment was abiding by the Mayor's Executive Order issued on February 22, 2021. Upon entry, the inspectors determined there were approximately 80 individuals on the licensed premises. The inspector asked the manager to review their fire marshal permit to determine the maximum capacity of the establishment, which turned out to be 90 persons. The inspector informed the manager of the Mayor's Executive Order which only permitted the maximum indoor capacity to be at 25%. The inspector instructed the manager that only 22 individuals were permitted to be indoors at the establishment. The inspector reported this observation to the Chief Inspector, who then requested the assistance of the Baltimore City Police Department in order to reduce the number of patrons inside the establishment. When the Police Officer's arrived, they closed the establishment for the night due to safety concerns.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 9:10 p.m. on March 4, 2021 members of the BLLC received a 311 complaint alleging the establishment was playing loud music. Around approximately 9:50 p.m., inspectors arrived and observed a red SUV blasting music at the parking lot located in the rear of the establishment, but no loud music was emanating from the establishment itself. However, the inspectors observed a large number of patrons entering the establishment, so the inspectors decided to conduct a compliance check to see if the establishment was abiding by the Mayor's Executive Order issued on February 22, 2021. Upon entry, the inspectors determined there were approximately 80 individuals on the licensed premises. The inspector asked the manager to review their fire marshal permit to determine the maximum capacity of the establishment, which turned out to be 90 persons. The inspector informed the manager of the Mayor's Executive Order which only permitted the maximum indoor capacity to be at 25%. The inspector instructed the manager that only 22 individuals were permitted to be indoors at the establishment. The inspector reported this observation to the Chief Inspector, who then requested the assistance of the Baltimore City Police Department in order to reduce the number of patrons inside the establishment. When the Police Officer's arrived, they closed the establishment for the night due to safety concerns.

Corporate Standing: Sangria, LLC is an active Maryland corporation in good standing as of May 6, 2021.

Location Violation History: June 13, 2019 – Violation of Rule 3.09(b) (Rest Room Facilities and Health Regulations) – Fined \$375

Witnesses: Ricardo Jones – Manager

Disposition: The Board has found that the licensee violated Rule 4.16 and Rule 3.12 on March 4, 2021 and imposed a fine of \$100 and an administrative fee of \$125, both payable within 30 days.