

Revisions for Regulations

§2.6 – Promoter’s Permit

~~The Board may issue a Promoter’s Permit for use by an unlicensed for-profit organization that is publicizing, selling tickets, organizing, operating, producing or staging an event where alcohol beverages are sold or served. The for-profit organization must be registered with the Maryland State Department of Assessments and Taxation (SDAT) and must be in Good Standing. The permit authorizes the permit holder to sell beer, wine, and liquor at an event. There is a Promoter’s permit that shall be obtained by a for profit organization from the Board before the organization may publicize, sell tickets, organize, operate, produce, or stage an event in which alcohol beverages are sold or served.~~

The Promoter shall abide by Regulations adopted by the Board for conducting an event, including health and safety standards to be met by the permit holder. The rules and regulations governing this license will be provided with the application. Approvals must be received by the Board subject to Fire Marshal, Health Department, and Zoning approval.

Applications shall be submitted a minimum of two (2) weeks prior to the event. An application filed within thirteen (13) to six (6) days of the event will be processed at the discretion of the Board Director subject to staffing availability and will be subject to a late fee of \$50. Applications submitted within five (5) days of the event will be processed at the discretion of the Board Director subject to staffing availability and will be subject to a late fee of \$100.

The fee for a Promoter’s permit is:

- a. \$50, if the promoter expects that fewer than 500 individuals will attend and a \$25 administrative fee*
- b. \$250, if the promoter expects that from 500 to 1,000 individuals will attend and a \$75 administrative fee*
- c. \$600, if the promoter expects that from 1,001 to 3,000 individuals will attend and a \$150 administrative fee*
- d. \$1,000, if the promoter expects that more than 3,000 individuals will attend and a \$500 administrative fee*

The rules and regulations governing these licenses will be provided with the application.
(Alcoholic Beverages Article §20-1103)

The Board reserves the right to assess additional administrative fees for events expecting 5,000 or more individuals.

*Administrative fee for Promoter’s permits will be assessed beginning January 1, 2023.

§4.0 – General Provisions for New and Transfer Applications

All interested applicants wanting to apply for a new or transfer license must submit the application request form. If the requested license type is available, staff will email the application along with all other pertinent information within 24 hours (excluding weekends and holidays).

Application is considered complete when the following items are received:

- a. Completed application with all signatures
- b. Maryland Residency
- c. Driver's license or Government issued photo id
- d. Alien Registration/Naturalization/US Passport
- e. Diagram
- f. Alcohol Plan
- g. Lease/~~Letter of Intent~~/Deed
- h. Consent to Transfer- (transfer applications only)
- i. Draft of Contract of Sale- (transfer applications only)
- j. \$750 Application Fee (non-refundable)
- k. Entity Documentation:
 1. Corporation: Articles of Incorporation; State Approval; By-Laws, Stock Certificates and if needed Minutes
 2. LLC: Articles of Organization; State Approval; Operating Agreement and if needed, Resolution
 3. Partnership: Partnership Agreement

Within one week of submitting the above items and the application, the applicant(s) will receive notification of their hearing date. The application will then be added to the agenda and sent for partnering agency review. *See Hearing section

Two weeks prior to the hearing date, the hearing notification sign will be posted at the establishment by the Frederick County Alcoholic Beverage Inspector.

Before the hearing, the applicant must complete fingerprinting, meet the alcohol awareness requirements, and all applicants, and any parties that oversees serving and selling of alcohol must complete the ABLE training. Staff will do a background check on any applicant that holds or previously held an alcoholic beverage license anywhere in the Country.

Before the license can be issued the following items must be completed or obtained:

- a. Alcoholic Beverage Inspector's approval
- ~~b. Final Lease or Deed~~
- ~~e.~~b. Copy of Sales and Use Tax License
- ~~d.~~c. Release of the Sales and Use Tax account from the Comptroller's Office
- ~~e.~~d. Business License
- ~~f.~~e. Worker's Comp (if required)
- ~~g.~~f. Final Contract of Sale (for transfers only)
- ~~h.~~g. Bulk Transfer Permit (for transfers only)

i.h. Bulk Transfer Affidavit (for transfers only)

j.i. Approvals from:

- a. Fire Marshal or Certificate of Occupancy
- b. Health Department if required
- c. Zoning Office
- d. Permits Office or Certificate of Occupancy

k.j. Pay license/transfer fee

Conditional Approvals –The Board may motion for conditional approval pending all rules, regulations, and laws of the State, County, and municipalities are met. The Liquor Board staff will monitor and release the license upon completion of all requirements. If such license is not issued within the time frame set by the Board at the hearing, the conditional approval expires. The applicant may request an extension. It is solely within the Board’s discretion to approve or deny an extension of time.

Fingerprinting Records Check – The Board shall obtain criminal history record information of each applicant for a license from the Central Repository.
(Alcoholic Beverages Article §20-1402)

Franchises – A Class A, alcoholic beverages license shall not be issued to any franchised establishment.
(Alcoholic Beverages Article §20-1603)

Gas Agreement – Any applicant who sells gasoline or proposes to sell gasoline once licensed shall submit with the application a signed copy of the agreement with the oil company to ensure that a franchise does not exist. A current agreement with any gas supplier shall be submitted to the Board with any application for a new license or to transfer a license. The agreement shall be kept current by submitting any renewed or new agreements to the Board.

Residency –At least one applicant shall be a Maryland resident at the time the application is filed and shall remain a Maryland resident for the duration of the license. If no licensee resides in the State of Maryland, the applicant shall designate an agent who resides in the State of Maryland to accept service of process, notices and all other communication from the Board. The applicant must provide the agent’s personal information, including the agent’s name, address, telephone number and email address. It is the licensee’s responsibility to notify the Board of any changes to this information within 14 days.

Upgrade/Downgrade of license-Licensees will need to complete Upgrade/Downgrade application.

§6.27 – Utilizing License

All establishments holding a census driven license (class A) licensee must utilize all privileges granted under the license. If an issued license cannot be utilized within 10 days, the licensee must notify the Liquor Board office immediately.

§6.28 – Seasonal Closing

The Board may authorize the closing of a licensed premises for not more than 9 months if the Board determines that the licensed premises is seasonally operated, and the licensee submits a request to the Board at least 30 days before. The request must state the anticipated closing and reopening dates.

§1.3 – Emergency Order of Closing

In the event, an emergency situation or other exigent circumstances relating to the public welfare or safety are found to exist at or in the vicinity of a licensed establishment, and in the opinion of the Alcoholic Beverage Inspector or any authorized representative of the Frederick County Sheriff's Office, Frederick Police Department, or the Maryland State Police or Inspector, the continued operation of the licensed business would be an immediate threat to the peace, safety, quiet or general welfare of the community, the Coordinator, police supervisor or the Inspector are individually authorized to order the establishment closed for the hours remaining prior to the legal closing.

The Board shall be notified in writing of any such closing by the officer involved within forty-eight (48) hours, and a report of the incident shall be submitted to the Chair of the Board for review.