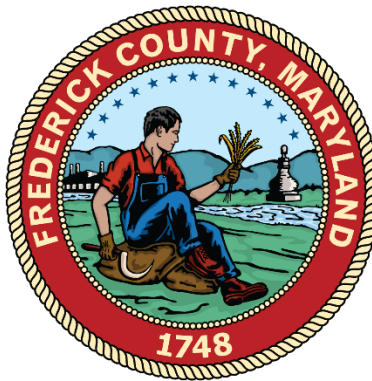


ALCOHOLIC BEVERAGES REGULATIONS

STATE OF MARYLAND



FREDERICK COUNTY

2026

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BOARD OF LICENSE COMMISSIONERS FOR FREDERICK COUNTY, MARYLAND

**ALCOHOLIC BEVERAGES
REGULATIONS**

Authority of The Board of License Commissioners for Frederick County is authorized to issue licenses in Frederick County. A licensee shall assume all responsibilities as an individual and be subject to all penalties, conditions, and restrictions imposed on licensee under the Alcoholic Beverage and Cannabis Article, Maryland Annotated Code, and the Frederick County Alcoholic Beverages Regulations. (Alcoholic Beverage and Cannabis Article §4-202)

The Board of License Commissioners for Frederick County has adopted the following Regulations, as authorized by §20-207 of the Alcoholic Beverage and Cannabis Article, Maryland Annotated Code and may fine, and/or suspend, or revoke the license as authorized by state law. All regulations are subject to change by notice of the Board of License Commissioners for Frederick County.

Final adoption January 13, 2025, by Commissioner Joan Aquilino, Commissioner Deborah Burrell, and Commissioner Christopher Glass. Amended December 1, 2025.

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Definitions

A. Alcoholic beverage

1. a spirituous, vinous, malt, or fermented liquor, liquid, or compound that:
 - a.contains at least one-half of 1% of alcohol by volume; and
 - b.is suitable for beverage purposes.
2. Includes alcohol, brandy, whiskey, rum, gin, cordial, beer, and wine
3. Does not include a confectionery food product that contains up to 5% of alcohol by volume and is regulated by the Maryland Department of Health under §21-209 of the Health General Article.

(Alcoholic Beverage and Cannabis Article §1-101(b))

B. ATCC- State Alcohol Tobacco Cannabis Commission

C. Beer-means a brewed alcoholic beverage,

1. Beer includes:
 - a.ale,
 - b.porter,
 - c.stout,
 - d. malt,
 - e.hard cider
 - i. derived primarily from apples, apple concentrate, and water, pears or pear concentrate and water and
 - ii. contains no other fruit product but contains at least one-half of 1% and less than 8.5% of alcohol by volume
2. an alcoholic beverage that contains:
 - a.6% or less alcohol by volume, derived primarily from the fermentation of grain, with not more than 49% of alcoholic beverage's overall alcohol content by volume obtained from flavors and other added nonbeverage ingredients containing alcohol; or
 - b.more than 6% alcohol by volume, derived primarily from the fermentation of grain, with not more than 1.5% of the alcoholic beverage's overall alcohol content by volume obtained from flavors and other added nonbeverage ingredients containing alcohol: and
3. Mead- a fermented alcoholic beverage consisting primarily of honey and water.

(Alcoholic Beverage and Cannabis Articles §101(c))

D. Board-The Board of License Commissioners for Frederick County

E. Club-means an association or a corporation that is

1. organized and operated exclusively for educational, social, fraternal, patriotic, political, or athletic purposes; and
2. nonprofit

(Alcoholic Beverage and Cannabis Article §1-101(e))

F. Commission-means the Alcohol, Tobacco, and Cannabis Commission

(Alcoholic Beverage and Cannabis Article §1-101(f))

G. Comptroller-means the Comptroller of the State of Maryland, including deputy, inspector, a clerk, or any other individual authorized to act by the Comptroller.

(Alcoholic Beverage and Cannabis Article §1-101(g))

- H. Contractual Party-The person or group who signs a contract with a manufacturer for the use of the space for a private event.
- I. Establishment-licensed place of business.
- J. Fire Marshal-This term includes the County Fire Marshal's Office, the County Office of Life Safety or such other public safety entity that has jurisdiction over fire safety issues at the establishment.
- K. License Holder or Licensee-the holder of any alcoholic beverages license or permit issued under the provisions of any law of this state.
- L. Liquor/Distilled spirits includes
 - 1. Alcohol;
 - 2. Brandy;
 - 3. Cordials;
 - 4. Gin;
 - 5. Liqueur;
 - 6. Rum;
 - 7. Vodka;
 - 8. Whiskey; and
 - 9. Solutions or mixtures of distilled spirits except fortified wines.(Alcoholic Beverage and Cannabis Article §101(r) & Tax General Article §5-101(g))
- M. Residency-Home residence is generally determined by the address on a current valid driver's license, unless other satisfactory evidence, as determined by the Board proves otherwise.
- N. Restaurant-an establishment that accommodates the public, and
 - 1. is equipped with facilities for preparing and serving regular meals and has average daily receipts from the sale of food that is at least 40%. After 10 p.m. there is no requirement for a restaurant regarding average daily receipts from the sale of food and alcoholic beverages.
 - 2. The area of the licensed premises normally used as a restaurant for the preparation and consumption of food and beverages may not occupy less than 80% of the square footage of the premises.
 - 3. The Board may issue not more than 10 licenses to the same license holder.
 - 4. Restaurants with a beer, wine, and liquor license
 - a. may serve full-course meals at least twice daily,
 - b. have regular seating at tables, not including seats at bars or counters, for 28 or more individuals.(Alcoholic Beverage and Cannabis Article §20-104, §20-904, §20-803, §20-904(e))
- O. Wine-means a fermented beverage includes
 - a. Light wine
 - b. Sparkling wine that is naturally or artificially carbonated; and
 - c. Fortified wine to which alcohol, spirits or other ingredients are added
 - d. Wine that may be sold under a beer and wine license may not contain more than 22% of alcohol by volume(Alcoholic Beverage and Cannabis Article §1-101(ii), §20-801)

Chapter 1. General Provisions

§1.0 – Regulations

The Board reserves the right to suspend the application of any adopted Frederick County Regulation when it finds that there is good cause to do so. The Board cannot suspend the application of the Alcoholic Beverage and Cannabis Article or any other State law.

Every licensee shall keep these Regulations where they are easily accessible for reference. The licensee is responsible to ensure that the employees are familiar with these Regulations.

§1.1 – Responsibility of Licensee

A licensee shall not commit or allow on the licensed premises any act that is contrary to any Federal, State, or Local statute, law, or ordinance, or against the public peace, safety, health, or welfare.

The licensee is personally responsible for the operation of the establishment and is responsible for violations committed not only by the licensee but also by the licensee's agents, employees, and operators. This includes the action of off-duty employees and volunteers on the premises.

§1.2 – Compliance with Frederick County Liquor Board

Licensees, and the licensee's agents, employees, operators, and volunteers must cooperate with reasonable requests when asked by the Board of License Commissioners for Frederick County, its duly authorized agents and employees. Obstruction is prohibited. Any actions considered a lack of cooperation will be subject to review by the Board and the Board's designated staff.

§1.3 – Dishonored Payments

Any licensee who gives the Board a payment that has been returned for any reason will be notified immediately. If the amount of the payment, plus applicable charges established by the Frederick County Treasurer, is not paid within 2 business days of notification, the license shall be suspended effective immediately until payment is cleared.

Once a licensee's payment has been returned for any reason, certified funds may be required.

§1.4 –Order of Closing/Cease of Alcohol Sales

In the event, an emergency situation or a threat to the peace, safety, quiet, or general welfare of the community is found to exist at the licensed establishment, the ATCC, its duly authorized deputies, inspectors and clerks, the Board of License Commissioners for Frederick County, its duly authorized agents and employees, and law enforcement officer of Frederick County are individually authorized to order alcohol sales to cease

If a closure of an establishment or event is warranted it would be done in conjunction with the appropriate partnering agencies.

Chapter 2. Licenses

§2.0 – Class A (Off Sale) License (Sealed and Packaged)

Class A, Beer only, Beer and Wine, or Beer, Wine, and Liquor – The establishment shall sell alcoholic beverages at retail in any quantity to the consumer at the establishment and deliver the beverages in a package or container that may not be opened, or its contents consumed on the licensed premises.
(Alcoholic Beverage and Cannabis Article §20-601, §20-802, §20-901)

§2.1 – Class B (On Sale) License (Restaurants)

Class B, Beer only and/or Beer and Wine – The establishment shall operate as a restaurant and serve food. This license permits consumption of alcoholic beverages in the establishment only where meals are prepared and served. However, the establishment may sell alcoholic beverages in sealed containers to be carried out and consumed elsewhere.

Class B, Beer, Wine, and Liquor – The establishment shall operate as a restaurant and serve full-course meals at least twice daily, have a regular seating capacity at tables (not including seats at counters or bars) for 28 or more persons. This license permits consumption of alcoholic beverages in the establishment only where meals are prepared and served, except for alcoholic beverages of not more than 22 percent by volume (beer and wine only) which may be sold in sealed containers to be carried out and consumed elsewhere.

All Class B establishments must be equipped with facilities for preparing and serving regular meals and has average daily receipts from the sale of food that is at least 40% of the total average daily receipts of the restaurant. After 10 p.m. there is no requirement for a restaurant regarding average daily receipts from the sale of food and alcoholic beverages.

The area of the licensed premises normally used as a restaurant for the preparation and consumption of food and beverages may not occupy less than 80% of the square footage of the premises.

The Board may issue not more than 10 licenses to the same license holder.

(Alcoholic Beverage and Cannabis Article §20-104, §20-602, §20-803, §20-904)

§2.2 – Class C (On Sale) License (Non-profit Club)

Class C, Beer Only and/or Beer and Wine – This license authorizes consumption and the sale of alcoholic beverages to be consumed on premises to a member of a club and their guests.
(Alcoholic Beverage and Cannabis Article §20-603, §20-804)

Class C, Beer, Wine, and Liquor – This license may be issued to any club that has been operating for at least 3 years prior to applying for the license. The Board may issue the license for use by a nationally chartered fraternal, charitable, or veterans' organization, regardless of how long the organization has been operating.
(Alcoholic Beverage and Cannabis Article §20-905)

§2.3 – Class DBR (Class 5 Manufacturing License or Brewery)

The Board may issue a Class DBR on premises consumption permit to a holder of a Class 5 brewery license. This allows the holder to sell beer brewed at the brewery for on-premises and off-premises consumption to the extent the holder is allowed under the Class 5 Brewery license. This permit allows

the holder to sell and serve food and non-alcoholic beverages. Approval is subject to review by the Frederick County Health Department for any food/non-alcoholic beverage element. A diagram of the permitted consumption area (Tap Room) must be submitted and show clear delineation from the manufacturing, processing, or production facilities. The hours of operation for the tap room may be exercised from 6:00 a.m. until 2:00 a.m. every day. The annual fee for the DBR permit is \$1,500. (Alcoholic Beverage and Cannabis Article §20-407)

§2.4 – Class DDS (Class 1 Distillery License)

The Board may issue a Class DDS on premises consumption permit to a holder of a Class 1 distillery permit. This allows the holder to sell brandy, rum, whiskey, alcohol, and neutral spirits that are distilled, rectified, blended, and bottled at the distillery for on-premises and off-premises consumption to the extent the holder is allowed under the Class 1 distillery license. This permit allows the holder to sell and serve food and nonalcoholic beverages. Approval is subject to review by the Frederick County Health Department for any food/nonalcoholic beverage element. A diagram of the permitted consumption area (Tap Room) must be submitted and show clear delineation from the manufacturing, processing, or production facilities. The hours of operation for the tap room may be exercised from 6:00 a.m. to 2:00 a.m. every day. The annual fee for the DDS permit is \$500. (Alcoholic Beverage and Cannabis Article §20-408)

§2.5 – Specialty Licenses

Arena

The Board may issue a Class B-A (arena) beer and wine license to a campus of an institution of higher education. This license authorizes the holder to sell beer and wine by the drink from one or more outlets that the Board approves; and for on-premises consumption at sporting and nonsporting events held at the institution. Event staff must monitor entrances and exits when alcohol is being sold to ensure that alcohol is not brought into or removed from the licensed premises. Beer and wine sales may be exercised from 6:00 a.m. to 2:00 a.m. every day. When the license is not being used for events, the alcoholic beverages must be secured in a locked storage facility with no access by unauthorized personnel. The storage facility must be part of the licensed premises. The licensee must provide a list of all activities and functions that utilize the license to the FCLB staff monthly. Changes to the list must be reported immediately. If the licensee would like to add additional facilities outside the licensed arena, the licensee must submit a request to the FCLB staff with a diagram of the proposed areas where alcohol will be sold and consumed. The annual license fee for the Arena License is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1001)

Art Gallery license

The Board may issue an Art Gallery on-premises license to a retail business engaged in the display and sale of original artwork, or copies of original artwork that are reproduced no more than 300 times, by an individual artist or a group of artists. A business that displays and sells commercially prepared or mass-produced artistic products may not be issued the license. The license authorizes the licensee to sell or serve beer and wine at retail for on-premises consumption when snacks are served during normal business hours but not later than midnight.

The Annual license fee is \$100. (Alcoholic Beverage and Cannabis Article §20-1001.1)

Banquet Facility license

The Board may issue an on-premises beer, wine, and liquor license to a banquet facility that accommodates the public for banquets, parties, meetings, and similar functions, contains a dining room with adequate facilities for preparing and serving full-course meals for at least 100 individuals who are inside the facility

or outside on the premises at one seating, and has a full commercial kitchen and adequate public bathroom facilities. The license authorizes the licensee to sell beer, wine, and liquor by the drink or by the bottle for on-premises only during the functions when food is also provided. The licensee may sell beer, wine, and liquor for off-premises consumption if the alcohol is in a collectible bottle commemorating a special anniversary or event; and sold not more than 30 calendar days before the special anniversary or event. The licensee must request and receive approval before selling the collectible bottles. The licensee must provide a list of all activities and functions that utilize the license to the FCLB staff monthly. Changes to the list must be reported immediately.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1001.2)

Barbershop Beer and Wine license

The Board may issue a barbershop license to a holder of a barbershop permit under §4-501 of the Business Occupations and Professions Article. The license authorizes the licensee to provide not more than 6.5 ounces of wine by the glass or 12 ounces of beer for on-premises consumption by a barbershop customer when the customer is provided a service described in §4-101(l) of the Business Occupations and Professions Article, or, while the customer is attending a fund-raising event at the barbershop. Beer and wine services may be provided during normal business hours but not later than 9:00pm.

The Annual license fee is \$100. (Alcoholic Beverage and Cannabis Article §20-1001.3)

Beauty Salon license

The Board may issue a beauty salon license to a holder of a beauty salon permit under §5-501 of the Business Occupations and Professions Article. The license authorizes the licensee to provide not more than 6.5 ounces of wine by the glass or 12 ounces of beer for on-premises consumption by a beauty salon customer when the customer is provided services described in §5-101(n)(1) of the Business Occupations and Professions Article, or while the customer is attending a fund-raising event at the beauty salon. Beer and wine services may be provided during normal business hours but not later than 9:00pm.

The Annual license fee is \$100. (Alcoholic Beverage and Cannabis Article §20-1002)

Bed and Breakfast license

The Annual license fee is \$500. (Alcoholic Beverage and Cannabis Article §20-1003)

Cinema/Theater license

The Board may issue a Class CT cinema/theater on-premises license for use in a for profit cinema or theater that has one or more screening rooms or performance halls. This license authorizes the holder to sell beer, wine, and liquor in the lobby, a screening room, or performance hall to an individual who has a ticket to a movie or a theater performance. The licensee shall offer food for sale other than candy and popcorn.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1003.1)

Conference Center license

The Annual license fee is \$2,000. (Alcoholic Beverage and Cannabis Article §20-1004)

Country and Golf Club license

The Board may issue a Class C Country and Golf Club license for use by a country and golf club that maintains a regular or championship golf course with at least nine holes. The license authorizes the licensee to sell beer, wine, and liquor to members and their guests for on-premises consumption.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1005)

Country Inn license

The Board may issue an on-premises Class B-CI County Inn beer, wine, and liquor license for use by a country inn when accommodating the public for banquets, parties, meetings, and similar functions. The country inn must contain at least eight rooms with sleeping accommodations that the public may use for a specified time, excluding resident management quarters. The country inn must have a kitchen for guests that is separate from the kitchen facility of the resident management quarters. The licensee must provide a list of all activities and functions that utilize the license to the FCLB staff monthly. Changes to the list must be reported immediately. The Annual license fee is \$2,500. (Alcoholic Beverage and Cannabis Article §20-1006)

Dinner Theater license

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1007)

Entertainment Center license

The Board may issue a Class EC (entertainment center) license for use in conjunction with a Class 7 micro-brewery license or a Class B beer, wine, and liquor license. The entertainment center may contain, rides and games such as bowling lanes, billiard tables, and go-carts and may have one or more food service facilities, bars, or lounges, and allow the playing of music and dancing.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1008)

Golf Simulator Facility license

The Board may issue a Class B-GSF (Golf Simulator Facility) license for use by a golf simulator facility that is open to the public, has at least five golf simulator bays, and has accommodations that are predominantly dedicated to golf simulator bays and seating dedicated to the golf simulator bays. This license authorizes the licensee to sell beer, wine, and liquor for on-premises consumption. The licensee must offer food on-premises at all times when the alcoholic beverages are being sold.

The licensee's annual gross sales from alcoholic beverages may not exceed 35% of the annual gross sales of the golf simulator facility. Golf simulator bay rental fees shall be at least 50% and food sales shall be at least 15% of the annual gross sales of the golf simulator facility.

Before renewing the license, the licensee shall provide the Board with an annual gross sales report for alcohol, golf simulator rental fees, and food that shows the licensee has met the requirements.

The annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1009)

Hotel Lobby license

The Board may issue a Hotel Lobby license to a hotel that does not have a restaurant. The license authorizes the hotel to sell beer and wine by the bottle from a store in the hotel lobby to patrons of the hotel for on premise consumption.

The Annual license fee is \$100. (Alcoholic Beverage and Cannabis Article §20-1009.1)

Hotel license

The Board may issue a Class B hotel license to an establishment for the accommodation of the public providing service ordinarily found in hotels. The hotel must contain at least 25 rooms, a lobby with a registration desk, seating facilities and a dining room that serves full-course meals at least twice daily and that has regular seating at tables, not including seats at bars or counters, for 28 or more individuals. The license authorizes the licensee to sell beer, wine, and liquor for on-premises consumption where meals are prepared and served and prohibits sales for consumption anywhere else, including at a bar or counter.

The Annual license fee is \$2,000. (Alcoholic Beverage and Cannabis Article §20-904(b))

Hotel/Motel license

The Board may issue a Class B, hotel or motel license that is an establishment to accommodate the public by providing services ordinarily found in a hotel or motel, has at least 15 rooms, and has dining facilities for preparing and serving full-course meals for at least 25 individuals at one seating. The license authorizes the hotel/motel to sell beer, wine, and liquor by the individual drink at any place on the premises; by the bottle at any place on the premises for a banquet, party, hospitality room, meeting, or similar functions; and for dinner in the restaurant portion of the premises. The license authorizes the sale of beer, wine, and liquor by the bottle, but not more than two bottles in a 24-hour period, through room service to a registered patron in a hotel/motel room. A bottle sold through room service may be removed from the premises by the customer when checking out from the hotel/motel. The Annual license fee is \$2,000. (Alcoholic Beverage and Cannabis Article §20-903).

Micro-Brewery

The Board may issue a Micro-Brewery license to a holder of a Class B beer, wine, and liquor (on-sale) license that is issued for use on the premises of a restaurant in Frederick County. The licensee is not subject to the manufacturing and licensing prohibitions under §2-209(e) of the Alcoholic Beverage and Cannabis Article.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §2-209 & §20-406)

Miniature Golf Course license

The Board may issue a Class B-MGC (Miniature Golf Course) for use by a miniature golf course that is open to the public, has a miniature course of at least 18 holes, and has accommodations that are predominantly dedicated to miniature golf. This license authorizes the licensee to sell beer, wine, and liquor for on-premises consumption. The licensee must offer food on-premises at all times when alcohol is being sold.

The licensee's annual sales from alcoholic beverages may not exceed 35% of the annual gross sales of the miniature golf course. Miniature golf games shall be at least 50% and food sales shall be at least 15% of the annual gross sales of the miniature golf course.

Before renewing the license, the licensee shall provide the Board with an annual gross sales report for alcohol, miniature golf games, and food that shows the licensee has met the requirements.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1009.2)

Municipal Golf Course license

The Board may issue a Class M-G, municipal golf course license, to a manager, golf course manager under a management agreement with the City of Frederick, or an official of the City of Frederick designated by the Mayor of the City of Frederick. The license authorizes the holder to sell beer, wine, and liquor for on-premises consumption on the land and in the facilities used for golfing purposes. The holder may designate an agent to sell beer, wine, and liquor at the municipal golf course. The agent shall be considered the vendor for the purpose of collecting and remitting the sales and use tax. On request of the City of Frederick, the Board may transfer the license to a different golf course manager.

The Annual license fee is \$600. (Alcoholic Beverage and Cannabis Article §20-1009.3)

Private Business Club license

The Annual license fee is \$2,000. (Alcoholic Beverage and Cannabis Article §20-1010)

Private Country Club license

The Annual license fee is \$2,000. (Alcohol Beverages Article §20-1011).

Retirement Center license

The Board may issue a special Class C retirement center license. The license authorizes the licensee to sell beer, wine, and liquor to residents and guests for on-premises consumption. The retirement center campus shall be limited to two areas and the service rooms connected to those two areas.

The licensed premises may be expanded to include any building or facility at the retirement center campus, regardless of whether the building or facility exists when the license is issued with Board approval.

The licensee may sell for off-premises consumption only special anniversary or special event collectible bottles of wine or liquor not more than 30 calendar days before the special anniversary or event.

A civic group or any other organization that rents the premises from the licensee for an event may serve at the event alcoholic beverages that the licensee provides. These events may be open to the public and cannot happen more than 25 times per year.

The Annual license fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1012)

Stadium license

The Board may issue a stadium license to the owner of a professional baseball team franchise. The license authorizes the licensee, at the stadium in which the baseball team plays its home games, to sell beer, wine, and liquor in plastic or paper containers for on-premises consumption and to an individual present at an event held in the stadium.

The Annual license fee is \$2,500. (Alcoholic Beverage and Cannabis Article §20-1013)

Theater license-Beer and Wine

The Board may issue a Class C theater license to a theater with seating. The license authorizes the licensee to sell beer and wine for on-premises consumption from 1 hour before to 1 hour after a regular performance or a fund-raiser performance that benefits the theater.

The Annual license fee is \$100. (Alcoholic Beverage and Cannabis Article §20-1014)

Theater license-Beer, Wine and Liquor

The Board may issue a Class C theater beer, wine, and liquor license to a theater with seating. The license authorizes the licensee to sell beer, wine, and liquor for on-premises consumption from 1 hour before to 1 hour after a regular performance, a fund-raiser performance that benefits the theater, or an event hosted by an outside group that has rented the theater.

The Annual license fee is \$150. (Alcoholic Beverage and Cannabis Article §20-1014.1)

Volunteer Fire Company/Volunteer Ambulance Company license

The Board may issue a Class C volunteer fire company or volunteer ambulance company license. The license authorizes the licensee to sell beer, wine, and liquor only during a fund-raising event for on-premises consumption. The licensee must provide a list of all activities and functions that utilize the license to the FCLB staff monthly. Changes to the list must be reported immediately.

The Annual license fee is \$500. (Alcoholic Beverage and Cannabis Article §20-1014.2)

Weinberg Arts Center/New Spires Arts Stages license

The Board may issue a Class C Weinberg Center/New Spires Arts Stages license to a manager, or another municipal official designated by the Mayor of the City of Frederick, for the use by the nonprofits. The license authorizes the holder to sell beer, wine, and liquor at retail for on-premises consumption from 1

hour before to 1 hour after a performance, a fund-raiser that benefits the Weinberg Center for the Arts or New Spire Arts Stages, or an event hosted by an outside group that has rented either facility. The Annual license fee is \$325. (Alcoholic Beverage and Cannabis Article §20-1015)

§2.6 – Promoter’s Permit

The Board may issue a Promoter’s Permit for use by an unlicensed for-profit organization that publicizes, sells tickets for, organizes, operates, produces, or stages 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. All those serving and selling alcohol must be alcohol awareness certified. The permit authorizes the permit holder to sell beer, wine, and liquor at an event.

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. Approval must be received by the Board subject to Fire Marshal, Health Department, and Zoning approval. Completed applications shall be submitted a minimum of two (2) weeks prior to the event.

Late Applications. 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 due no later than 5 days before the event. Fees are as follows:

- 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*

(Alcoholic Beverage and Cannabis Article §20-1103)

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

§2.7 – Special Licenses

The Board may issue a Special license for up to 7 consecutive days to a non-profit club, society or association holding any bona fide entertainment that receives approval from the Board subject to Fire Marshal, Health Department and Zoning approval. All those serving and selling alcohol must be alcohol awareness certified. A seasonal waiver form can be provided upon request. The rules and regulations governing this license will be provided with the application. Completed applications shall be submitted a minimum of two (2) weeks prior to the event. The license fee is due no later than 5 days before the event.

Multiday Special license may be issued for not more than 50 days in a calendar year to a single applicant. Multiday Special License Applications will be assessed one (1) Administrative Fee per application. Changes and/or additions to the original application will be subject to an additional administrative fee

based on the time of submission as set forth below. An application/change shall be submitted a minimum of two (2) weeks prior to the first/next event.

Late Applications. 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. (Alcoholic Beverage and Cannabis Article §20-1301, §20-1312, §20-1313, §4-1202)

The rules and regulations governing these licenses will be provided with the application. (Alcoholic Beverage and Cannabis Article §4-1202, §20-1312, §20-1313)

There is a Multiveneue Special license for up to five venues. (Alcoholic Beverage and Cannabis Article §20-1309)

The fee for a Special License is:

- a. \$10 (Beer or Beer and Wine) per day
- b. \$30 (Beer, Wine, and Liquor) per day

Special Licenses will be assessed an administrative fee based on expecting attendees:

- a. \$25 fewer than 500 attendees
- b. \$75 500 to 1,000 attendees
- c. \$150 1,001 to 3,000 attendees
- d. \$500 3,001 or more attendees

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

Chapter 3. Endorsements (Additional Privileges)

§3.0 – Bottle Club

The Board may issue a Bottle Club endorsement to a Class B restaurant or hotel (on-sale) beer, wine, and liquor license. This endorsement allows the licensee the privilege to sell a bottle of alcohol to a patron, to remain on the premises for future on-site consumption. The bottle must be clearly identified with proof of sale, and to whom the bottle belongs. Requests for endorsement must be submitted to the Board, along with a diagram of the area where sold bottles will be stored and maintained, and how the service will be tracked. This endorsement will require Inspector approval prior to any sales.

§3.1 – Caterer's License

The Board may issue a local caterer's license to a Class B restaurant or hotel (on-sale) beer, wine, and liquor license. This license allows the licensee the privilege to provide beer, wine, and liquor at a publicly or privately sponsored event that is held off the licensed premises. All catered events must be in Frederick County. The licensee shall prepare, deliver, and provide food for consumption at the catered event, and provide service employees to serve alcoholic beverages at the catered event. 50% of on-site employees serving and selling alcohol must be Alcohol Awareness certified. The completed Catered Event registration form shall be submitted to the Board 14 days prior to the event. After the event all alcoholic beverages need to remain in possession of the licensee or an employee of the licensee and return to the

licensed premises of the Class B restaurant or hotel (on-sale). This license shall not cater alcoholic beverages to a premises that currently holds an alcoholic beverage license. The annual fee is \$1,500. (Alcoholic Beverage and Cannabis Article §20-1201)

§3.2 – Class A-Beer and Wine Tasting /Beer, Wine and Liquor Tasting Permit

Class A Licensees desiring to obtain the beer and wine tasting permit or a beer, wine, and liquor tasting permit must complete the registration form with signatures and receive the tasting permit endorsement on their license before tasting can occur. An individual may taste beer, wine, or liquor covered by the permit in a quantity not exceeding:

- a. 6 total ounces of Beer, **OR**
- b. 6 total ounces of Wine, **OR**
- c. 1.5 total ounces of Liquor, **OR**
- d. Any combination of Beer and Wine shall not exceed 6 total ounces, **OR**
- e. Any combination of Beer and Wine shall not exceed 6 total ounces and 0.5 ounces of Liquor.

The tasting permit is for on-premises tasting only. An open container may not be carried from the premises to be consumed elsewhere. Once opened, the beer, wine or liquor bottles used for the tasting must be labeled as “Used for Tasting Only”. The contents of each bottle may not be mixed with any other bottle, and all bottles shall be disposed of once they are empty. The tasting permit holder must comply with partnering agencies. The completed Tasting Event Registration form shall be submitted to the Board 14 days prior to the tasting. The annual fee for the beer and wine tasting permit is \$200, the annual fee for beer, wine, and liquor tasting is \$400.

(Alcoholic Beverages and Cannabis Article §20-1102.1 and §1102.2)

§3.3 – Cheese and Deli Shop Wine Privilege

The Annual fee is \$100. (Alcoholic Beverages and Cannabis Article §20-802)

§3.4 – Deliveries

Class A -Delivery

Class A Licensees desiring to deliver alcoholic beverages must complete the registration form with signatures and receive a Delivery endorsement on their license before deliveries can be made. All delivery persons must be a bona fide employee on the payroll or a licensee. Delivery persons must be **alcohol awareness certified** and **at least 21 years of age or older**. Alcoholic beverages must be delivered in an original sealed package or container. The person receiving the alcoholic beverages must be 21 years of age or older. The delivery person must verify the identification of the customer. Each delivery form must be complete and kept on the premises for 2 years and available for inspector review. Deliveries cannot be made to another alcohol licensed establishment. Deliveries can only be made in Frederick County between the hours of 6:00 a.m. and 11:00 p.m. Sunday through Saturday. Third party sales or deliveries are not allowed. The Board reserves the right to modify this privilege at any time. The annual fee is \$100.

Class B-Delivery

Class B Licensees desiring to deliver beer or wine must complete the registration form with signatures and receive a Delivery endorsement on their license before deliveries can be made. All delivery persons must be a bona fide employee on the payroll or a licensee. Delivery persons must be **alcohol awareness certified** and **at least 21 years of age or older**. Beer or wine must be delivered in an original sealed package. The person receiving the alcoholic beverages must be 21 years of age or older. The delivery person must check the identification of the customer. Each delivery form must be complete and kept on

the premises for 2 years and available for inspector review. Deliveries cannot be made to another alcohol licensed establishment. Deliveries can only be made in Frederick County between the hours of 6:00 a.m. and 11:00 p.m. Sunday through Saturday. The beer or wine must be purchased along with a **Prepared** food other than prepackaged snacks. Third party sales or deliveries are not allowed. The Board reserves the right to modify this privilege at any time. The annual fee is \$100. (Alcoholic Beverage and Cannabis Article §4-507)

§3.5 – Entertainment

A licensee who plans to add entertainment as a part of the business must submit an Entertainment Request form to the Board for prior approval. Establishments located in the city limits of Frederick, can have music and entertainment Sunday through Thursday until 9:00 p.m., and Friday and Saturday until 10:00 p.m. without Zoning Board of Appeals review. If an establishment chooses to have entertainment beyond these hours, this will require Zoning Board of Appeals approval along with Board approval.

§3.6 – Outside Areas and Patios

Any licensee proposing to use an outside area shall complete the Patio/Outside Area form. All outside areas shall be enclosed by a barrier and approved by an inspector. A barrier of 42” is recommended. The Board’s approval must be obtained prior to using any outside area.

When it is not feasible for the outside area to be adjacent to the licensed premises, the Board may approve use of an area that is in close proximity to the licensed premises.

Outside areas shall comply with any applicable requirements of all partnering agencies.

§3.7 – Refillable Containers Draft Beer (Growlers)

There is a refillable container permit for draft beer for the holder of a Class A or a Class B license. (Alcoholic Beverage and Cannabis Article §20-1104, §4-1104)

A refillable container permit authorizes the permit holder to sell draft beer for off-premises consumption in a refillable container.

A refillable container shall:

- a. have a capacity of not less than 32 ounces and not more than 128 ounces,
- b. be sealable,
- c. be branded with an identifying mark of the seller of the container,
- d. bear the federal health warning statement required for containers of alcoholic beverages under 27 C.F.R. 16.21,
- e. display instructions for cleaning the container, and
- f. bear a label stating that:
 1. cleaning the container is the responsibility of the consumer; and
 2. the contents of the container are perishable and should be refrigerated immediately and consumed within 48 hours after purchase.

This is available for Micro-Breweries that will offer Growlers of product they did not manufacture. The annual fee is \$50.

§3.8 – Nonrefillable Container Draft Beer (Crowler)

There is a nonrefillable container permit for draft beer to a holder of a Class A or Class B license. (Alcoholic Beverage and Cannabis Article §20-1106, §4-1106)

A nonrefillable container permit authorizes the permit holder to sell draft beer for off-premises consumption by packaging the beer in a nonrefillable container.

A nonrefillable container for draft beer shall:

- a. be constructed out of aluminum,
- b. be sealable,
- c. have a capacity of 32 ounces,
- d. be branded with the identifying marks of the seller of the container, and
- e. bear the federal health warning statement required for containers of alcoholic beverages under 27 C.F.R. §16.21.

This is available for Micro-Breweries that will offer Crowlers of product they did not manufacture. The annual fee is \$50. If issued with a Growler endorsement, only the Growler fee is due.

§3.9 – Refillable Containers Wine (Growlers)

There is a refillable container permit for wine to a holder of a Class A or Class B license. (Alcoholic Beverage and Cannabis Article §20-1105, §4-1105)

A refillable container permit authorizes the permit holder to sell wine for off-premises consumption in a refillable container.

A refillable container for wine shall:

- a. have a capacity of not less than 17 ounces and not more than 34 ounces,
- b. be sealable,
- c. be branded with an identifying mark of the seller of the container,
- d. bear the federal health warning statement required for containers of alcoholic beverages under 27 C.F.R. 16.21,
- e. display instructions for cleaning the container; and
- f. bear a label stating that cleaning the container is the responsibility of the consumer.

This is available for Micro-Breweries that will offer Growlers of product they did not manufacture. The annual fee is \$50.

§3.10 – Sunday Permit

Class A licensees may not sell or dispense alcoholic beverages on Sunday unless a Sunday permit has been issued allowing the privilege of Sunday operating hours of 6:00 a.m. to 2:00 a.m. the following day for off-premises consumption. See Fee Schedule for annual fee.

(Alcoholic Beverage and Cannabis Article §20-2002, §20-2004, §20-2005)

§3.11 – Wine Corkage

A Class B or C license that allows for the sale of wine may obtain a Wine Corkage Permit from the Board. This grants the licensee the privilege to allow an individual to consume wine not purchased from the establishment, only if:

- a. The wine is consumed with a meal during the hours of sale specified by the licensee,
- b. The individual receives the approval of the licensee or the licensee's agent, employee or operator,
- c. The wine is not available for sale on the licensee's wine list, and

Licensees may charge the individual a fee for the privilege, on which sales tax applicable to alcoholic beverages shall be imposed.

A bottle of wine that is removed from the licensed premises under these conditions is an “open container” for purposes of §10-125 of the Criminal Law Article.
(Alcoholic Beverage and Cannabis Article §4-1102)

Not to be confused with removing partially consumed bottles of wine, review §6.21.

§3.12 – Manufacturer’s Limited Beer, Wine, and Liquor Permit

The Board may issue a Manufacturer’s Limited Permit to a holder of a manufacturer’s license with a local on-site consumption license under §2.3 and §2.4 of these regulations. The permit authorizes the holder to allow a licensed caterer or other contractual party, to provide sealed beer, wine, and liquor products not manufactured by the holder and purchased from a Maryland licensed retailer, during private events for on-premises consumption. The holder may not have direct or indirect financial interest with the licensed caterer or other contractual party. The holder may not allow patrons who are visiting any part of the manufacturer’s licensed premises that are open to the public to enter the private event area while the private event is being held.

The holder shall:

- a. Provide the Board with a monthly event list that will utilize the Manufacturer's Limited Beer, Wine, and Liquor permit,
- b. Provide a diagram of the space to be used for the private event,
- c. Provide an alcohol plan describing the logistics of containing the private area (no alcohol traversing of space) with appropriate signage,
- d. Ensures that there will be 50% alcohol awareness trained servers which may be included in the contract between the manufacturer and the contractual party,
- e. No self-service of alcohol is permitted,
- f. Require the licensed caterer to post a copy of their alcoholic beverages license allowing them to sell alcohol, or require the “other contractual party” to provide an itemized receipt for the outside alcohol,
- g. Not allow outside alcohol to be stored or kept on the licensed premises, and
- h. Require the contractual party that are not using a licensed caterer (SCAT or Class B Caterer) to obtain a one-day license if:
 1. They are selling tickets to their event that includes alcohol, or
 2. Provide a cash bar.

The annual fee is \$500.

(Alcoholic Beverage and Cannabis Article §20-407 and §20-408)

§3.13 – Soju

Class B license holders desiring to serve Soju/Shochu by the bottle to the table must obtain a Soju permit. Soju/Shochu can only be served in bottles not more than 375 milliliters and not more than 22% alcohol by volume. No amount of unused soju/shochu shall be taken from the establishment.

Chapter 4. Applications

§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). The application will expire at 30 days. If the application is not submitted, a new application will need to be requested.

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/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.

Before the hearing, the applicant must complete:

- a. Fingerprinting (should be completed in the Liquor Board office if possible)
- b. Alcoholic Beverages Licensing Education Training (ABLE)

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 Hearings §5.0

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

Staff will do a history 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. Copy of Sales and Use Tax License
- c. Release of the Sales and Use Tax account from the Comptroller's Office
- d. Business License
- e. Worker's Comp (if required)
- f. Final Contract of Sale (for transfers only)
- g. Bulk Transfer Permit (for transfers only)
- h. Bulk Transfer Affidavit (for transfers only)

- i. Approval from:
 - 1. Fire Marshal or Certificate of Occupancy
 - 2. Health Department if required
 - 3. Zoning Office
 - 4. Permits Office or Certificate of Occupancy
- 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 a criminal background check via fingerprinting for each applicant.

(Alcoholic Beverage and Cannabis Article §20-1402)

Franchises – A Class A, alcoholic beverages license shall not be issued to any franchised establishment.

(Alcoholic Beverage and Cannabis 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.

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

§4.1 – Special Provisions for Transfer Applications

Sale of Business – Any licensee who is in the process of selling their business (the entire business or a portion of the business more than 50%) shall notify the Board before preceding to closing, to allow ample time to apply for a transfer of the license and be scheduled for a public hearing. Failure to notify and provide appropriate documentation to the Board prior to closing may delay the processing of the transfer application or result in the current license being considered expired.

Management Agreement– A licensee selling their business who wants to have the purchasers operate the business until the transfer is complete, may do so by submitting a management agreement for approval by the Board along with a completed transfer application.

This management agreement shall include the duration of the agreement (for not more than 6 months).

All accounts associated with the business shall remain in the name of the current licensee. The current licensee is responsible for all actions of the purchasers or anyone acting on behalf of the purchasers until the Board approves the transfer of the license.

Transfer of Location-Licensees moving their establishment to another location will need to complete a Transfer of Location application.

The application will expire in 30 days. If the application is not submitted, a new application will need to be requested.

§4.2 – Census Availability

When the Board receives the final Census giving the numbers for each Election District in Frederick County, the number of available licenses for each Class and Type will be determined. Two Public Notices will be posted in the newspaper and on the Frederick County Liquor Board website giving the number of each Class and Type of the licenses available in each Election District. The Public Notices will contain instructions for submitting an information sheet by a certain date for the Board to review.

The information sheet includes the following information:

- a. Type of License Requested
- b. Class of License Requested
- c. Address of proposed establishment
- d. Names that will appear on the license
- e. Answering the following questions:
 1. Does the interested party have any other licensed establishments?
 2. If so, the names and location of other licensed establishments?
 3. What is the target date to open/upgrade the establishment?
 4. How will your business meet the public need/desire for the license?
 5. How will your business ensure health, safety, and welfare of the community?
 6. Would your business impact surrounding existing license holders?
 7. What is unique about your business?
 8. Is there any additional information for the Board's consideration?

The Board's staff will review the information sheets that are submitted by the published deadline. The Board will hear each potential applicant's testimony based on their information sheet. The Board will then rank each potential applicant; if the first potential applicant fails to submit a completed application within 30 days, the next potential applicant can then apply and so on until the list is exhausted.

Remaining Census licenses-If there are any licenses remaining after the Board has granted the licenses for those who submitted the information sheet, an application will be available to the first person requesting an application for the Class and Type in each Election District. All census driven applications given out by the Board, for a new license shall be filed within 30 days after the application is sent to the potential applicant.

All census driven licenses (class A) applications expire 30 days after staff emails the required documents.

§4.3 – Renewals

Applications – Application for renewal must be filed between January 1 and April 15 inclusive. Any renewal filed after April 15th through May 1 will be subject to a fine of \$100 for each calendar day late, including weekends and holidays. The renewal application shall be provided by the Board. The renewal shall be fully completed with all required information. The application fee will follow the following criteria;

- a. If the completed renewal application is filed by February 15th, there is a reduced renewal application fee of \$100.00,
- b. If the completed renewal application is filed February 16th through March 15th, the application fee will be \$150.00,
- c. If the completed renewal application is filed March 16th through March 30th, the application fee will be \$200.00,
- d. If the completed renewal application is filed March 31st through April 15th, the application fee will be \$300.00.

The renewal application must be complete, and the application fee must be paid before the Board considers it filed.

(Alcoholic Beverage and Cannabis Article §20-1801)

Renewal licenses not paid for – All licensees are required to pay for and obtain their new license between January 1 and May 1 inclusive. Subject to Board approval, any renewal paid for and picked up after May 1 will be subject to a fine of \$100 for each calendar day late, including weekends and holidays.

§4.4 – Request postponement to avoid hardship

If a licensee cannot renew their license by May 1st, they must request a hardship hearing from the Board. If the hearing is not requested, and the license is not renewed by May 1st, the license expires.

The Board may hold a hearing to postpone the expiration of a license for an additional period not to exceed 20 days to avoid hardship.

If the Board grants a hardship extension, there will be a fine of \$100 for each calendar day late, including weekends and holidays up to the 20th day. On the 21st day the license will expire per state law §4-705.

New License Displayed – The new license must be displayed by May 1 of the license year.
(Alcoholic Beverage and Cannabis Article §4-508)

Chapter 5. Hearings & Penalties

§5.0 – Hearings

All licensees or applicants for a license shall appear in person during any hearing scheduled by the Board. The Board reserves the right to suspend or revoke a license for failure to appear for a scheduled hearing.

§5.1 – Penalty

A fine is due and payable within 24 hours after the decision is given to the licensee. Any fine paid after the initial 24 hours will double. If the fine is not paid within 48 hours after the decision is made, the license will be retrieved by the Inspector and returned to the Board until the fine is paid in full.

The Board may impose a fine not exceeding \$3,000 for each offense or suspend a license or both for a violation that is cause for suspension of a license.

The Board may reduce the suspension by allowing the licensee to pay a fine of not exceeding \$1,000 for each week the suspension is reduced.

The Board may offer probation. Infractions during the probationary period may result in a violation of probation at the discretion of the Board.

The Board reserves the right to assess an administrative fee in addition to a penalty.
(Alcoholic Beverage and Cannabis Article §20-2802)

§5.2 – Violation Guidelines

The Board has established violation guidelines when regulations are not adhered to. The Board reserves the right to modify any violation guideline when there is good cause to do so. (See [Violation Guidelines](#))

§5.3 – Letter of Compromise-Sale to Minor

In lieu of a formal hearing before the Board, the Director may offer a letter of compromise for first-time sale to minor offenses only. The letter contains:

- a. licensee admits to the charge and pays fine,
- b. the dates and cost of the Violation Prevention class and,
- c. the penalty if licensee chooses the letter of compromise and then does not comply with the terms.

No later than 10 days after the Letter of Compromise is delivered to the establishment, the licensee shall:

- a. pay the fine, and class fees.

Or

- b. may request that a hearing be held to contest the alleged violation.

§5.4 – No Contest Letters

In lieu of a formal hearing before the Board, the Director may issue a No Contest Letter based on the violation guidelines. The letter contains:

- a. the amount of the fine to be imposed, and administrative fee.
- b. description of the alleged violation,
- c. the approximate date and time during which the alleged violation occurred,
- d. the section of law or regulations of the Board that was alleged to be violated,
- e. and an explanation of the options available to the licensee

A copy of the no contest letter will be emailed to licensees, and a hard copy will be delivered by the inspector to the establishment.

No later than 10 days after the No Contest Letter is delivered to the establishment, the licensee shall:

- a. pay the fine and administrative fee.

Or

- b. may request that a hearing be held to contest the alleged violation.

If there is no response from the licensee after 10 days after the No Contest Letter is delivered to the establishment, the Director shall proceed with the hearing process.

§5.5 – Civil Citations

An inspector who investigates a license violation may issue a civil citation as provided in §10-119 of the Criminal Law Article.

(Alcoholic Beverages and Cannabis Article §20-2603)

§5.6 – Orders and Rulings

Unless otherwise provided by the Board, the Board's orders and decisions are final when made. When an appeal from a Board order or decision is filed and the cost of the appeal is paid, the Board may stay its decision pending the disposition of that appeal.

§5.7 – Decisions – Requests for Reconsideration

Within 10 days of a Board decision, any person who would also have standing to file a Petition for Judicial Review as defined in the applicable section of the Alcoholic Beverages and Cannabis Article of the Annotated Code of Maryland may file a written request for reconsideration of the Board decision, provided that the Board decision would be subject to judicial review. The request shall contain the specific reasons and any new evidence upon which the request is based. A request for reconsideration does not stay the operation of a Board decision unless the Board grants a stay. A request for reconsideration stays the time for an appeal until the time the request is denied or, in the event the request is granted, a subsequent decision is made.

(Alcoholic Beverages and Cannabis Article §4-902, §4-903)

§5.8 – Expungement

After a finding of guilt, the license holder may request expungement 3 years after the adjudication date. The request for expungement is solely the responsibility of the license holder. The license holder must pay a \$200 filing fee and request an expungement hearing before the Board. The licensee must be prepared to plead their case to the Board.

If probation is granted, the licensee may request expungement after successful completion of the probation period.

§5.9 – Grounds for Revocation or Suspension

At the Board's discretion, they may revoke or suspend a license for any reason to promote the peace or safety of the community in which the premises are located or for offenses of the Alcoholic Beverage and Cannabis Article §4-604 (a).

The Board shall be required to revoke or suspend a license under Mandatory grounds that meets the criteria according to Alcoholic Beverage and Cannabis Article §4-604 (b).

§5.10 – Judicial Review

Final decisions of the Board are subject to judicial review by the Circuit Court, Court of Appeals or by Supreme Court of Maryland as authorized by law.

(Alcoholic Beverage and Cannabis Article §4-902, §4-908)

Chapter 6. Standards of Operation

§6.0 – Alcohol Awareness Program

Fifty percent (50%) of on duty employees serving or selling alcohol must have successfully completed an alcohol awareness training program approved by the ATCC. Those certified employees must be on the premises at all times the establishment is open to the public during hours of operation. If there is an

absence from the licensed premises that keeps you from meeting the 50% requirement, for any reason, a logbook shall be kept on the licensed premises that contains the name of the certified person, the date and time of the absence, and the reason for the absence. The logbook shall be available at the request of the Alcoholic Beverages Inspectors, employees of the Board, or the ATCC's Agents.

Recertification is required every four years. An up-to-date valid certificate shall be kept on file at the establishment and presented to the proper authority upon request. If anyone certified leaves employment, the licensee or manager must notify Liquor Board Staff within 30 days so their file can be updated. If an employee is trained outside of the Liquor Board Safe Alcohol Service program, a copy of the certification must be submitted to the Liquor Board office within 30 days of obtaining the certificate.

A licensee who violates this section is subject to a first offense, a \$100 fine; and for each subsequent offense, a fine not exceeding \$500 or a suspension or revocation of the license or both.

(Alcoholic Beverage and Cannabis Article §4-505, §20-1903)

§6.1 – Changes in Information Provided

Any change to the original application or any renewal application shall be submitted to the Board within 14 days. This notice includes but not limited to changes of the home address, phone number and email address of any licensee, the business phone number, and business e-mail address, a change to the physical address of the establishment, and a change of the Retail Sales Tax Number.

Any changes in the property owner or lease of the establishment shall be reported as soon as the licensee is notified.

Any changes in ownership shall be submitted to the Board within 14 days. The requirements may include:

- a. A copy of the minutes, resolution or other documents that state the change in ownership,
- b. Stock Certificate if applicable.

Any ownership changes greater than 50% may require a transfer application.

§6.2 – Change of Lease or Deed

Any changes in the property owner or lease of the establishment shall be reported as soon as the licensee is notified. A current deed or lease that has not expired is required to be on file with the Board. This includes any lease extensions.

§6.3 – Change of Legal Name of Person Appearing on a License

A person appearing on the license who changes their legal name either by marriage, divorce, or other legal process, shall notify the Board within 14 days of the change and provide supporting documentation of the name change. The Board will issue a corrected license upon receipt of the required documentation and payment of the Corrected License fee determined by the Board.

§6.4 – Change of License Holders

Any change of licensee, officers, authorized persons, partners, or general partners shall be submitted to the Board within 14 days. The requirements may include:

- a. A copy of the minutes, resolution or other documents naming the authorized persons/partners to hold a license on behalf of the entity,
- b. A completed Corrected License form for the new licensee,
- c. A criminal background check via fingerprinting must be completed and
- d. Complete ABLE training.

Upon receipt of the required documentation and payment of the Corrected License fee, the corrected license will be issued.

§6.5 – Changes to the Licensed Premises

Any structural changes that will alter/modify the original diagram requires a Changes in Licensed Premises form, a copy of the diagram/construction plans, and an Alcohol Plan to be submitted to the Board. **Prior to beginning** any construction or alteration, the licensee shall obtain the Board's approval of the plans. Upon completion of the modifications and the release of any necessary permits, zoning approval, Fire Marshal approval or any required inspections.

Any changes to the location of any alcohol service area or the location of any alcohol storage area must be approved PRIOR to changes being made.

§6.6 – Change of Trade Name or Entity Name

A change of the establishment's trade name or entity name shall be sent to the Board upon submitting a change with the Maryland State Department of Assessments and Taxation (SDAT). Contact Liquor Board staff for corrective procedures. Change of the trade name or entity name cannot occur until these steps are completed.

§6.7 – Compliance with Partnering Agency

Licensees shall comply with all partnering State, County, and Municipality agencies. Non-compliance with these agencies could result in a violation.

In the event the establishment is closed by a partnering agency, the licensee shall immediately cease sales of alcohol. Once approval has been given by the partnering agency to re-open, the license may be reinstated.

§6.8 – Conduct of Business

All licensees must operate their business in such a manner as to avoid disturbing the peace, safety and quiet of the neighborhood where located. All unnecessary noises, including the playing of loud music, loud talking and loud singing at unreasonable times are prohibited.
(Alcoholic Beverage and Cannabis Article §4-604)

All licensees shall keep the inside area of the establishment, and any outside areas that are part of the establishment, including parking areas neat, clean, and orderly. This includes gathering trash and litter.

The Board may consider a violation for any patron/licensee/employee behavior resulting in excessive calls to law enforcement, either inside the premises or outside of the premises.

§6.9 – Death of a Licensee

The Board must be notified within 48 hours after a death of a licensee. If a licensee dies, the license will expire. However, the Board may grant a certificate of permission for the continuation of the business in the name of the personal representative or special administrator for the benefit of the estate of the deceased for a period of up to 18 months. The applicant shall obtain an original or certified copy of a letter of administration from the Registrar of Wills and present it to the Board before it grants the certificate of permission. If this process takes longer than 14 days after the death occurs, an updated timeline will need to be sent to the Board staff.

(Alcoholic Beverage and Cannabis Article §4-803, §20-2301, §20-2302)

§6.10 – Display of Licenses

The current Alcoholic Beverage license, Maryland Sales and Use Tax license, and Business license must be displayed in a frame in full view of the public. Liquor Board staff, inspectors, state officials, and any partnering agency officials must be able to visually read, with ease, any of the posted licenses.

(Alcoholic Beverage and Cannabis Article §4-508)

§6.11 – Hours

Between 2:00 a.m. to 6:00 a.m. on any day unless otherwise provided, an individual may not consume alcoholic beverages in a licensed premises. An owner, an operator or a manager of a licensed premises may not knowingly allow consumption during these hours.

(Alcoholic Beverage and Cannabis Article §20-2001)

Class A licensees may not sell or dispense alcoholic beverages on Sunday unless a Sunday permit has been issued allowing the privilege of Sunday operating hours of 6:00 a.m. to 2:00 a.m. the following day for off-premises consumption.

Class B licensees may operate on Sunday for on-premises consumption from 6:00 a.m. to 2:00 a.m. the following day, for off-premises consumption from 1:00 p.m. to 2:00 a.m. the following day and for a specific event that the Board has approved.

Class C licensees may operate on Sunday for on-premises consumption from 6:00 a.m. to 2:00 a.m. the following day or for a specific event that the Board has approved.

(Alcoholic Beverage and Cannabis Article §20-2002, §20-2004, §20-2005)

During the hours when the sale of alcoholic beverages is prohibited, no alcoholic beverage shall be removed from the establishment, regardless of when purchased.

All hours must be posted in full view of the public and provided in writing to the Liquor Board. Subject to §6.12, the establishment shall be open to the public during posted hours.

§6.12 – Changes of Hours

Hours of Operation and Regular Days of Closing – The hours of operation and regular days of closing shall be submitted to the Board and posted to the exterior of the establishment in full view of the public.

An on-duty employee/manager shall notify the Board via email of any changes to the posted hours. The notification shall state the date, name of establishment, and time closing. The notification shall be sent to: liquorboard@frederickcountymd.gov.

Any establishment that intends to stay open between the hours of 2am and 6am shall submit notice to the Board.

§6.13 – Drinks After Hours

No alcoholic beverages shall be served, dispensed, consumed, or given away on any part of the premises of any licensed establishment after 2:00 a.m. All alcoholic beverages shall be put away and secured by 2:00 a.m. No person shall consume alcoholic beverages and patrons shall be out of the establishments by 2:00 a.m. All transactions must be completed by 1:55 a.m. There can be no transactions after 2:00a.m. Owners, employees and hired entertainment shall finish their work and be out of the establishment within a reasonable time.

When an establishment closes to the public and members, all alcohol sales, service, and consumption must cease.

(Alcohol Beverage Article §20-2001)

§6.14 – Infusion

Fused or infused alcohol shall not be stored for more than three days. The fused or infused alcohol cannot be stored in an original alcohol container. The container must be labeled with the contents and date it was made.

§6.15 – Inspections and Searches

Licensees or any employees or authorized agents of the licensee shall allow the ATCC or an authorized deputy, inspector or clerk of the ATCC, Executive Director of the Commission or authorized deputy, inspector or clerk of the commission, Board of Licensed Commissioners for Frederick County or authorized agent or employee and any peace officer of the county or city where the place of business is located to inspect and search, without a warrant, a building, vehicle, or premises where alcoholic beverages are authorized to be kept, transported, manufactured or sold under a license or permit.

(Alcoholic Beverage and Cannabis Article §6-202)

§6.16 – Minor Employees

An employee shall be 18 years old to serve, sell, pour, or otherwise deal with alcoholic beverages. Delivery persons **must** be 21 years of age or older and alcohol awareness certified. Persons 14 to 17 years of age are allowed to work in an establishment provided they do not sell, serve, or deliver alcoholic beverages.

(Alcoholic Beverage and Cannabis Article §20-1902)

§6.17 – Open Bar/Bottomless Drinks

A licensee must request approval 14 days prior to offering the privilege of open bar or bottomless alcoholic beverages. It is the licensee's responsibility to control the service of alcohol.

§6.18 – Private Parties

Special permission to be closed to the public for a private party shall complete a Special Event Request form 14 days prior to the event.

§6.19 – Raffles

A game in which a prize is won by one of numerous persons buying chances. Establishments wishing to host a raffle containing alcoholic beverages must submit a Raffle Request form and receive permission from the Board at least 14 days before the raffle is to begin. The raffle must be for charitable purpose or non-profit organization, the licensed premise cannot benefit from the proceeds unless it is a non-profit organization. Alcohol purchase cannot be required to receive a chance to enter the raffle. Non-monetary donations to receive a chance to enter the raffle can be allowed.

§6.20 – Records, Purchases and Sales

All License Classes:

Licensees are required to maintain complete and accurate records of all alcoholic beverages purchased, sold, manufactured, rectified, brewed, fermented, distilled, produced, stored, warehoused, or transferred. These records shall be preserved for at least 2 years to ensure permanency.

These records (either physical or electronic) shall always be available and open for inspection. It is the responsibility of the licensee to ensure that all required records are maintained in an orderly and accessible manner.

If any alcoholic beverages remain in inventory on the licensed premise for longer than two (2) years, the licensee must retain the original purchase receipt or other verifiable proof of purchase for those products, regardless of how long the product has been held
(Alcoholic Beverages and Cannabis Article §1-408)

Class B Restaurant Licenses ONLY:

Class B licensees that accommodate the public and are equipped with facilities for preparing and serving regular meals must maintain average daily receipts from the sale of food that are at least forty percent (40%). These records shall always be kept on the licensed premises and open for inspection. After 10:00 p.m., there is no record requirement.
(Alcoholic Beverages and Cannabis Article §20-104)

§6.21 – Removing Partially Consumed Bottles of Wine

A person who, at a licensed establishment, purchases a meal and a bottle of wine, the contents of which are partially consumed with the meal, may remove the bottle and its contents from the licensed premises if the licensee or an employee of the licensee inserts a cork in or places a cap on the bottle, put in a bag with a receipt attached.

A bottle of wine that is removed from the licensed premises under this section is an “open container” for the purpose of §10-125 of the Criminal Law Article.
(Alcoholic Beverage and Cannabis Article §4-1103)

§6.22 – Resignation of a Licensee

A licensee who wishes to resign shall give notice to the Board. Corrective action to maintain the license must be taken within 14 days of notification.

§6.23 – Storage

A licensee must securely store or keep alcoholic beverages only on the premises covered by the license; or at a public warehouse, government-controlled warehouse, or individual warehouse for which a permit has been issued by the ATCC's office.

(Alcoholic Beverage and Cannabis Article §4-502)

§6.24 – Tables

Class A licensees shall submit a request to the Board to have customer seating. Approval must be received before customer seating can be added. Consumption of alcohol is NOT permitted.

Class B, Beer, Wine, and Liquor license holders may remove tables and chairs to accommodate additional patrons at not more than four special events held in the restaurant in a calendar year, provided that the licensee:

- a. Shall give notice to the Board at least 14 days before the event,
- b. Shall store the removed tables and chairs in an appropriate location in the restaurant and in a manner that does not block the exits of the restaurant, and
- c. Does not exceed the maximum number of occupants that the County Fire Marshal allows.

(Alcoholic Beverage and Cannabis Article §20-904)

§6.25 - Tasting with a Distributor

Distributor tastings may be done out of public view, in a private room, on the licensed premises. If there is no private area, be discreet and use good judgment.

§6.26 - Temporary extension of licensed premise

Temporarily extending beyond the approved licensed premises requires a Special Event Request form to be completed at least 14 days in advance, and approval must be received prior to utilizing the space.

§6.27 – Utilizing License

All establishments holding a census driven license (Class A) must utilize all privileges granted under the license.

Any newly issued license, regardless of class, must be utilized within 10 days of issuance. Should this not be possible, notification must be made to the Liquor Board office.

§6.28 – Seasonal Closing

The Board may authorize the closing of a licensed premises for not more than 6 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 prior to closing. The request must state the anticipated closing and reopening dates. You must notify the Liquor Board, by email, prior to its reopening.

Chapter 7. Prohibited Practices

§7.0 – Alcoholic Beverages Purchase/Sales/Possession

A licensee may not purchase any alcoholic beverage except from a licensed manufacturer or wholesaler, private bulk sale permit holder, or nonresident winery permit holder, sell any alcoholic beverage to any other retail dealer except the holder of a Class C per diem beer, beer and wine, or beer, wine, and liquor license, or keep or allow to be kept any alcoholic beverage on the licensed premises except those that have been purchased by the retail dealer.

(Alcoholic Beverage and Cannabis Article §6-311)

A licensee shall not borrow, loan, or purchase alcoholic beverages from another licensee or licensed establishment.

§7.1 – Bottles on Tables

Licensees shall not allow liquor bottles to be sold and set on tables or bars.

§7.2 – Consumption on the Premises

A licensee may not allow an individual to consume on the licensed premises an alcoholic beverage that is not purchased on the premises from the licensee except for those that have obtained a wine corkage endorsement.

(Alcoholic Beverage and Cannabis Article §6-308)

§7.3 – Consumption or Impairment While on Duty

Licensees or employees shall not consume or be under the influence of alcohol, or narcotics, before, or while on duty.

§7.4 – Drinking Games

No alcoholic beverage drinking games shall be permitted on the licensed premises. Drinking games include, but are not limited to, activities that encourage, entice, or require the participant to drink or purchase alcoholic beverages.

§7.5 – Drinks Carried Out

No alcoholic beverages shall be opened inside an establishment and taken outside for consumption, except for a pre-approved outside area.

§7.6 – Drive-In Windows

Drive-in windows are not allowed. Drive-in windows approved by the Board prior to July 1, 1985, were exempt from this provision.

(Alcoholic Beverage and Cannabis Article §20-1604)

§7.7 – Drugs

The establishment shall not be used for the purpose of possession, transfer, sale, or use of any illegal narcotic drug.

§7.8 – False Statements

An applicant, licensee, owner, manager, employee, or volunteer shall not make any statement that is incorrect or untrue and is made with the intent to deceive or mislead any representative of the Board.
(Alcohol Beverage Article §4-604, §4-210)

§7.9 – Gambling

The establishment shall not be used for any illegal gambling activity.

§7.10 – Give-Away Programs

Providing free food to induce a customer to purchase alcohol is prohibited. Except for as provided in section 2 of the Alcoholic Beverage and Cannabis Article §6-310.
(Alcoholic Beverage and Cannabis Article §6-310)

§7.11 – Impaired Persons

A licensee or an employee of the licensee may not sell or provide alcoholic beverages to an individual who, at the time of the sale or delivery, is visibly impaired.
(Alcoholic Beverage and Cannabis Article §6-307)

§7.12 – Minors

A licensee or employee of the licensee may not sell, provide, allow possession or consumption of any alcoholic beverage, by any person under 21 years of age, regardless of who purchased or obtained the alcoholic beverages.
(Alcoholic Beverage and Cannabis Article §6-304, 6-309)

Misrepresenting Age – No person may falsely represent the age of any person for the purpose of aiding, assisting or abetting the person to illegally purchase, receive or obtain any alcoholic beverage. (Alcoholic Beverage and Cannabis Article)

Possession – No person under 21 years of age may possess or have upon his person any alcoholic beverage.

Purchases – No person under 21 years of age may purchase any alcoholic beverage.

A licensee or an employee of the licensee may accept a government issued identification with a picture and date of birth as proof of an individual's age.
(Alcoholic Beverage and Cannabis Article §6-305)

§7.13 – Nudity and Sexual Displays

The Board shall revoke a license if, after a hearing, an activity listed in the Alcoholic Beverage and Cannabis Article, §4-605, is found to have occurred on the licensed premises.
(Alcoholic Beverage and Cannabis Article, §4-605)

§7.14 – Tampering with Alcoholic Beverage Container

A licensee, an agent, or an employee may not possess an original container of an alcoholic beverage, of which the contents have been tampered with or altered in any way or have otherwise been refilled.
(Alcoholic Beverage and Cannabis Article §6-313)

§7.15 – Vacating the Premises

Licenses issued by the Board expire on the 10th day after a licensee has vacated or been evicted from the licensed premises.
(Alcoholic Beverage and Cannabis Article §4-702)

Subject to §6.12 & §6.28, if a licensed establishment does not open to the public for 10 or more days, the license shall expire.

VIOLATION GUIDELINES

*The Board, or its duly authorized representatives, reserves the right to interpret or modify any established violation guideline where, in its discretion, good cause is shown or circumstances warrant such deviation.

Section Number	Description	First Offense	Second Offense	Third and Subsequent Offenses
§2.1 Class B-BWL Seating ABC Article §20-904	Not maintaining seating for at least 28 excluding bar tops and countertops	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§3.4 Deliveries ABC Article §4-507	Failing to keep complete delivery forms on premises for two years for inspector review	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§3.5 Entertainment	Not complying with entertainment requirements	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§3.6 Outside Area and Patios including Special Events	Failing to request or comply with requirements for the outside area	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§3.11 Wine Corkage ABC Article §4-1102	Allowing wine to be brought on the licensed premises without obtaining the Wine Corkage Permit	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§4.3 Renewals ABC Article §20-1801	Not filed before April 15	No Contest Letter \$100 Fine per day late	Hearing before the Board	Hearing before the Board
§4.3 Renewals ABC Article §20-1801	Not picked up by the date indicated by the Board	No Contest Letter \$100 Fine per day late	Hearing before the Board	Hearing before the Board
§4.3 Renewals ABC Article §4-508	Not displayed by May 1 st	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§5.0 Hearings	Failure to appear for a hearing	Hearing before the Board	Hearing before the Board	Hearing before the Board
§6.0 Alcohol Awareness Program ABC Article §20-1903	No certified Alcohol Awareness person/Certification not available at establishment/ Less than 50% of on-duty staff Alcohol Awareness Certified	No Contest Letter \$100 Fine Administrative Fee \$100	No Contest Letter \$500 Fine Administrative Fee \$100	Hearing before the Board
§6.1 Changes in Information provided	Not notifying the Board of changes to information contained on the original or renewal application	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board

VIOLATION GUIDELINES

*The Board, or its duly authorized representatives, reserves the right to interpret or modify any established violation guideline where, in its discretion, good cause is shown or circumstances warrant such deviation.

Section Number	Description	First Offense	Second Offense	Third and Subsequent Offenses
§6.1 Changes in Information provided	Not notifying the Board of changes to information contained on the original or renewal application including resignation of licensees within 14 days	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.3 Change of Legal Name of Person Appearing on License	Failing to notify the Board of name change and providing required documentation	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.4 Change of License Holders	A change or resignation of the licensee, officers, authorized persons, partners, or general partners not submitted within 14 days.	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.5 Changes to the Licensed Premises	Failing to request and receive written approval for changes to licensed premises	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.6 Change of Trade Name or Entity	Failing to notify Board of change in Trade Name or Entity of an establishment	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.7 Compliance with Partnering Agencies	Compliance with Partnering Agencies	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.8 Conduct of Business ABC Article §4-604	Failing to operate in such a manner as to avoid disturbing peace and safety	Hearing before the Board	Hearing before the Board	Hearing before the Board
§6.9 Death of a Licensee	Not reporting a death of a licensee within 48 hours	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.10 Display of Licenses	Current Alcoholic Beverage License, Maryland Sales & Use Tax License or Business “Trader’s” License not posted	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.11 Hours & §6.12 Hours of Operation	Failing to post hours in view of the public/failing to report changes in operating hours to the Board	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.13 Drinks After Hours ABC Article §20-2001	Consumption or selling before or after hours	Hearing before the Board	Hearing before the Board	Hearing before the Board

VIOLATION GUIDELINES

*The Board, or its duly authorized representatives, reserves the right to interpret or modify any established violation guideline where, in its discretion, good cause is shown or circumstances warrant such deviation.

Section Number	Description	First Offense	Second Offense	Third and Subsequent Offenses
§6.14 Infusion	Storing fused or infused alcohol for more than 3 days. Or not labeling the container containing fused or infused alcohol	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.15 Inspections and Searches ABC Article §6-202	Failing to allow authorized Inspectors or Agents to inspect and search	Hearing before the Board	Hearing before the Board	Hearing before the Board
§6.16 Minor Employees ABC Article §20-1902	Minors (under 18) serving/selling/pouring or otherwise dealing with alcohol	Hearing before the Board	Hearing before the Board	Hearing before the Board
§6.17 Open Bar/Bottomless Drinks	Offering Alcoholic Beverages for a set price without prior approval	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.18 Private Parties	Closed to the Public for a Private Party without prior approval	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.19 Raffles	Raffling Alcoholic Beverages without approval	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.20 Records Purchases & Sales	Failing to keep all records including purchase, sales, and employees available for inspection	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.22 Resignation of a Licensee	Not taking corrective action within 14 days when a licensee resigns	Warning	No Contest letter \$100 Fine Administrative fee \$100	Hearing before the Board
§6.23 Storage ABC Article §4-502	Failure to securely store or keep any alcoholic beverages at the establishment	Warning	No Contest letter \$100 Fine Administrative fee \$100	Hearing before the Board
§6.24 Tables ABC Article §20-904	Failing to comply with the Regulations for adding or removing tables and chairs	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.26 Temporary Extension of licensed premise	Failure to obtain Board approval before temporarily extending licensed premises	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board
§6.27 Utilizing License	Failing to use all privileges	Warning	Hearing before the Board	Hearing before the Board
§6.28 Seasonal Closing	Failing to notify the Board of a Seasonal Closing or reopening	Warning	No Contest Letter \$100 Fine Administrative Fee \$100	Hearing before the Board

VIOLATION GUIDELINES

*The Board, or its duly authorized representatives, reserves the right to interpret or modify any established violation guideline where, in its discretion, good cause is shown or circumstances warrant such deviation.

Section Number	Description	First Offense	Second Offense	Third and Subsequent Offenses
§7.0 Alcoholic Beverages Purchase/Sales/Possession	Loaning/Borrowing alcohol to/from another licensee	No Contest Letter \$500 Fine Administrative Fee \$100	No Contest Letter \$1000 Fine Administrative Fee \$100	Hearing before the Board
§7.0 Alcoholic Beverages Purchase/Sales/Possession Alcoholic Beverages Article §6-311	Possession of alcoholic beverages not permitted to be sold under license	No Contest Letter \$500 Fine Administrative Fee \$100	No Contest Letter \$1000 Fine Administrative Fee \$100	Hearing before the Board
§7.1 Bottles on Tables	Allowing liquor bottles on tables	No Contest Letter \$250 Fine Administrative Fee \$100	No Contest Letter \$500 Fine Administrative Fee \$100	Hearing before the Board
§7.2 Consumption on the Premises ABC Article §6-308	Allowing consumption of alcohol except under §3.12 not purchased from licensee	No Contest Letter \$500 Fine Administrative Fee \$100	No Contest Letter \$1000 Fine Administrative Fee \$100	Hearing before the Board
§7.3 Consumption or Impairment While on Duty	Licensee or employee consuming alcohol while on duty	No Contest Letter \$500 Fine Administrative Fee \$100	No Contest Letter \$1000 Fine Administrative Fee \$100	Hearing before the Board
§7.4 Drinking Games	Allowing Drinking Games	No Contest Letter \$250 Fine Administrative Fee \$100	No Contest Letter \$500 Fine Administrative Fee \$100	Hearing before the Board
§7.5 Drinks Carried Out	Consumption outside the licensed establishment (except in approved outside areas)	No Contest Letter \$250 Fine Administrative Fee \$100	No Contest Letter \$500 Fine Administrative Fee \$100	Hearing before the Board
§7.7 Drugs	Allowing the establishment to be used for illegal drug activity	Hearing before the Board	Hearing before the Board	Hearing before the Board
§7.8 False Statement ABC Article §4-604	False statements on application, statement, or testimony	Hearing before the Board	Hearing before the Board	Hearing before the Board
§7.9 Gambling	Allowing the establishment to be used for illegal gambling activity	Hearing before the Board	Hearing before the Board	Hearing before the Board
§7.11 Impaired Persons (a) ABC Article §6-307	Serving/selling to an impaired patron	No Contest Letter \$500 Fine Administrative Fee \$100	No Contest Letter \$1000 Fine Administrative Fee \$100	Hearing before the Board

VIOLATION GUIDELINES

*The Board, or its duly authorized representatives, reserves the right to interpret or modify any established violation guideline where, in its discretion, good cause is shown or circumstances warrant such deviation.

Section Number	Description	First Offense	Second Offense	Third and Subsequent Offenses
§7.12 Minors ABC Article §6-304, §6-309	Allowing a minor to possess or consume alcohol, sales to minors	Hearing before the Board	Hearing before the Board	Hearing before the Board
§7.14 Tampering ABC Article §6-313	Tampering with bottles, refilling; keeping tampered bottles on licensed premises	No Contest Letter \$500 Fine Administrative Fee \$100	No Contest Letter \$1000 Fine Administrative Fee \$100	Hearing before the Board

*All warnings must be corrected within 14 days

*The Board reserves the right to modify any violation guideline when it finds there is good cause to do so.

Final adoption January 13, 2025, amended December 1, 2025

**ABC Article-Alcoholic Beverage and Cannabis Article

FEE SCHEDULE
Regular License Fees

	Class A	Class B	Class C		DDS Permit	DBR Permit	Endorsement: Manufacturer Limited BWL
Beer Only	\$100	\$130	\$50		\$500	\$1,500	\$500
Beer & Wine	\$140	\$160	\$70				
Beer, Wine & Liquor	\$650	\$1,500	\$600				

Endorsement Fees
(Additional Permits Available for Regular Licenses)

Endorsement	Class A			Class B			Class C		
	Beer	Beer & Wine	Beer, Wine & Liquor	Beer	Beer & Wine	Beer, Wine & Liquor	Beer	Beer & Wine	Beer, Wine & Liquor
Sunday Sales	\$100	\$140	\$650	Not Applicable for Class B			Not Applicable for Class C		
Tasting	n/a	\$200	\$400	Not Applicable for Class B			Not Applicable for Class C		
Delivery	\$100						Not Available for Class C		
Catering	Not Available for Class A			n/a	n/a	\$1500	Not Available for Class C		
Wine Corkage	Not Available for Class A			n/a	No Cost				
<u>Crowler (Class A or B) *free with Growler</u>									
Beer Only	\$50						Not Available for Class C		
<u>Growler (Class A or B)</u>									
Beer Only	\$50						Not Available for Class C		
Wine Only	n/a	\$50		n/a	\$50		Not Available for Class C		
Both Beer & Wine	n/a	\$100		n/a	\$100		Not Available for Class C		

ADDITIONAL FEES

Application Fee	\$750	Transfer of Location Application Fee	\$100	Fingerprint Fee	\$52
Correction Fee	\$100	Upgrade/Downgrade Application Fee	\$100	Transfer Fee	\$20
Application fee for Upgrades, Downgrades, Transfer of Locations, and Barbershops, Beauty Salons, DDS and Volunteer Fire Company/Volunteer Ambulance Company Licenses					\$100

***Fees are subject to change**