



STATE OF MARYLAND



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Civil Citations Policy

1. Definitions

- Civil Citation: A payable citation issued for a violation of any offense outlined in the Frederick County Alcoholic Beverages Regulations and/or the Alcoholic Beverage and Cannabis Article.
- Inspector: A designated employee of the Liquor Board with peace officer authority, responsible for enforcing alcoholic beverage laws in Frederick County. *Direction may be provided by office personnel. Supervision is provided by the Liquor Board Director and the Board of License Commissioners.*
- Person: Includes:
 1. An individual;
 2. A receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind;
 3. A partnership, firm, association, corporation, government agency, or any other entity.

2. Non-Exclusivity

Issuing a civil citation does not limit the Liquor Board or its Inspectors from pursuing any other legal or regulatory remedies.

3. Authority to Issue Citations

Under Maryland Alcoholic Beverage and Cannabis Article § 20-205(d)(1)-(2), Inspectors may:

- Issue civil citations per § 20-2603;
- Exercise peace officer powers related to alcoholic beverage enforcement;
- Assist the Board with law enforcement duties and perform any other required functions.

4. Citation Form and Content

- Form: Maryland Uniform Civil Citation Form (#DC-028).
- Contents Must Include:
 1. Name and address of the individual, if known;
 2. Description of the alleged violation and narrative of the incident;

3. Date, time, and location of the incident;
4. Fine amount;
5. Instructions on how and when to:
 - Pay the fine; or
 - Request a trial.

- Certification: The issuing Inspector must certify, under penalty of perjury, that the citation is accurate to the best of their knowledge.

5. Service of Citation

- Methods of Service:
 1. In person;
 2. By certified mail (return receipt requested);
 3. By delivery to a suitable person at the last known address;
 4. For premises violations:
 - Post on the main entrance, and
 - Mail via regular mail to the last known address.
- Retention: A copy shall be retained and filed with the Frederick County Liquor Board.

6. Effect of Citation

- Once issued and served, the citation:
 1. Serves as full notice of the alleged violation;
 2. Acts as *prima facie* evidence of the facts stated.
- No administrative appeal is available through any County board or agency.

7. Fine Payment

- Due Date: Must be paid by the date stated on the citation (minimum 30 days from issuance).
- Payment Location: Fines are payable in person at the Frederick County Liquor Board Office, 1501 Tilco Dr. Suite C, Frederick, MD 21704, or online via the [Liquor Board website](http://www.frederickcountymd.gov/liquorboard) (www.frederickcountymd.gov/liquorboard).

8. Right to Trial

- Trial Election: The cited individual may request a trial by submitting written notice to the Liquor Board at least 5 days before the fine's due date.
- Court Notification: The Board will forward the citation and notice to the District Court.
- Court Action:
 1. The District Court will set a trial date;
 2. All parties will be notified accordingly.

9. Default Procedures

- Definition: A person is in default if they fail to:
 1. Pay the fine by the due date;
 2. File timely intent to stand trial.
- Default Notice: The Board will mail a notice of default to the last known address.
- Court Action for Non-Response:

1. If unpaid after 15 days from the default notice, the Board may request court adjudication;
2. The District Court will then:
 - Set a trial date;
 - Notify all parties.

10. District Court Adjudication

- Nature of Proceedings: Civil, not criminal. A guilty finding does not impose criminal penalties or civil disabilities.
- Burden of Proof: The Board must prove the violation by a preponderance of the evidence.
- Legal Representation: The defendant may retain legal counsel at their own expense.

11. Schedule of Offenses

<u>Frederick County Alcoholic Beverages Regulation</u>	<u>Maryland Alcoholic Beverage and Cannabis Article</u>	<u>Offense Description</u>
§7.2	§6-308	Consumption on the Premises
§7.11	§6-307	Impaired Persons
§7.12	§6-304, 6-309	Sales to /Possession of Alcohol by Minors
§7.14	§6-313	Tampering with Alcoholic Beverage Container

*All fines will include a \$25.00 Administrative Fee

The Board of License Commissioners of Frederick County reserve the right to modify the schedule of offenses as permitted by the Maryland Alcoholic Beverages and Cannabis Article.