



# HARFORD COUNTY LIQUOR CONTROL BOARD

M. PILAR GRACIA, ESQ.,  
BOARD ADMINISTRATOR & COUNSEL  
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## FACTS WORTH NOTING:

- ▶ THE HARFORD COUNTY LIQUOR CONTROL BOARD (“BOARD”) IS COMPRISED OF FIVE (5) COMMISSIONERS INCLUDING ONE (1) CHAIR AND ONE (1) VICE CHAIR
- ▶ COMMISSIONERS ARE NOMINATED BY THE HARFORD COUNTY EXECUTIVE TO THE HARFORD COUNTY DELEGATION TO THE MARYLAND GENERAL ASSEMBLY WHICH DELEGATION IN TURN APPROVES OR REJECTS THE COUNTY EXECUTIVE’S NOMINATION
- ▶ ONCE APPROVED BY THE DELEGATION, COMMISSIONERS ARE THEN CONFIRMED IN THEIR NOMINATION PROCESS BY THE HARFORD COUNTY COUNCIL

## THE BOARD:

- ▶ EACH INDIVIDUAL COMMISSIONER SERVES A CONSECUTIVE THREE (3)-YEAR TERM AND MAY BE REAPPOINTED AT THE DISCRETION OF THE COUNTY EXECUTIVE
- ▶ TERMS OF THE INDIVIDUAL COMMISSIONERS ARE STAGGERED IN RELATION TO ONE ANOTHER IN ORDER TO AVOID THE TOTAL TURNOVER OF THE BOARD EVERY THREE (3) YEARS

## BOARD ADMINISTRATION:

- ▶ THE BOARD CURRENTLY HAS A STAFF OF FIVE (5) MEMBERS:
- ▶ ADMINISTRATOR (AND BOARD COUNSEL)
- ▶ INSPECTOR
- ▶ ADMINISTRATIVE ASSISTANT
- ▶ SPECIAL PROJECTS COORDINATOR
- ▶ ACCOUNTANT

## BOARD DUTIES AND RESPONSIBILITIES:

- ▶ BOARD PERSONNEL OVERSEE THE DAILY ADMINISTRATION OF APPROXIMATELY 205 ACTIVE ALCOHOLIC BEVERAGE LICENSES (“LICENSES”)
- ▶ EACH OF THE LICENSES RENEWS EACH LICENSING YEAR (MAY 1 – APRIL 30) FOR THE PERIOD OF THE APPLICABLE ACTIVITY AND PROCESSES FOR RENEWAL PURPOSES AT THE SAME TIME EACH YEAR (FIRST QUARTER OF THE CALENDAR YEAR)

## BOARD DUTIES AND RESPONSIBILITIES (CONTINUED):

- ▶ THE BOARD PRIMARILY DISTINGUISHES BETWEEN SUCH LICENSES BY CLASS SO AS TO DISTINGUISH BY AND BETWEEN THE TYPE OF ALCOHOL (BEER / WINE / LIQUOR) ALLOWED THEREBY AS WELL AS THE NATURE OF THE ASSOCIATED PRIVILEGE (ON-SALE AND/OR OFF-SALE)

## BOARD DUTIES AND RESPONSIBILITIES (CONTINUED):

- ▶ BOARD PERSONNEL ALSO OVERSEE THE DAILY ADMINISTRATION OF APPROXIMATELY 615 NATURAL PERSONS (AFFECTIONATELY KNOWN AS “HEARTBEATS”) AND BUSINESS ENTITIES ALL OF WHICH SERVE AS ALCOHOLIC BEVERAGE LICENSEES (“LICENSEES”)
- ▶ LICENSEES ARE MOST COMMONLY LIQUOR STORES (CLASS A), BARS / RESTAURANTS (CLASS B) AND CLUBS (CLASS C) BUT NOW INCLUDE SUCH DIVERSE NON-TRADITIONAL OPPORTUNITIES AS HARFORD COMMUNITY COLLEGE, (CLASS CC) AND HORIZON CINEMAS IN FALLSTON (CLASS MT)

## MORE ABOUT THE BOARD:

- ▶ THE BOARD WAS CREATED AND IS GOVERNED BY STATE STATUES SO AS TO ADMINISTER THE SAME THROUGH ITS OWN BOARD RULES AND REGULATIONS
- ▶ THOSE STATE STATUES USED TO BE SET FORTH BY ARTICLE 2B OF THE ANNOTATED CODE OF MARYLAND – THAT WAS HOWEVER REPEALED AND RECODIFIED AS THE ALCOHOLIC BEVERAGES ARTICLE EFFECTIVE 1 JULY 2016



## THE BOARD (CONTINUED):

- ▶ IT SHOULD BE NOTED THAT NOT ALL LIQUOR CONTROL BOARDS ARE CREATED EQUAL
- ▶ THE BOARD OPERATES MOST SIMILARLY TO THE WASHINGTON COUNTY LIQUOR CONTROL BOARD
- ▶ HOWEVER ALL COUNTY AND/OR CITY LIQUOR CONTROL BOARDS IN THE STATE OF MARYLAND DO SERVE IN ASSOCIATED (PARALLEL) ENFORCEMENT WITH THE OFFICE OF THE MARYLAND STATE COMPTROLLER, FIELD ENFORCEMENT DIVISION

## THE BOARD (CONTINUED):

- ▶ THE BOARD IS A HYBRID, QUASI-GOVERNMENTAL AGENCY WHICH IS NEITHER MARYLAND STATE NOR HARFORD COUNTY GOVERNMENT IN NATURE
- ▶ THE BOARD IN TURN RECEIVES NO FUNDING WHATSOEVER FROM EITHER THE STATE OR THE COUNTY GOVERNMENT
- ▶ THE BOARD IS INSTEAD FUNDED THROUGH LICENSE-RELATED FEES AND FINES RECEIVED FROM PROPOSED AND ACTUAL LICENSEES

# BOARD HEARINGS AND RELATED MATTERS:

- ▶ THE BOARD COLLECTS FINES AND IMPOSES ASSOCIATED PENALTIES UPON LICENSEES FOR VARIOUS VIOLATIONS OF THE ALCOHOLIC BEVERAGES ARTICLE AND/OR THE BOARD'S ASSOCIATED RULES AND REGULATIONS VIA ADMINISTRATIVE PROCEEDINGS BEFORE THE BOARD KNOWN AS "SHOW CAUSE HEARINGS"
- ▶ LICENSEES MAY APPEAR PRO SE OR WITH COUNSEL FOR THE PURPOSES OF SUCH HEARINGS
- ▶ LICENSEES MAY APPEAL CERTAIN DECISIONS OF THE BOARD BY FILING A PETITION FOR JUDICIAL REVIEW WITH THE CIRCUIT COURT FOR HARFORD COUNTY IN A TIMELY MANNER

# BOARD HEARINGS AND RELATED MATTERS (CONTINUED):

- ▶ THE BOARD MOST COMMONLY HEARS MATTERS INVOLVING SERVICE OF ALCOHOL TO PERSONS UNDER THE LEGAL DRINKING AGE OF 21 (UNDERAGE DRINKING)
- ▶ SUCH CASES USUALLY ARISE FROM COMPLIANCE TESTING OPERATIONS WHICH ARE CONDUCTED IN COOPERATION WITH AND SUPPORT FROM THE MARYLAND STATE POLICE
- ▶ OTHER PROBLEM AREAS OF ENFORCEMENT MOST COMMONLY INCLUDE OVER-SERVICE OF ALCOHOL (SERVICE TO INTOXICATED PERSONS)

## MYTH BUSTERS FROM THE BOARD:

- ▶ THERE IS NO B.Y.O.B IN HARFORD COUNTY --- ISSUES RELATED TO LOCATIONS AND/OR EVENTS WHERE B.Y.O.B. OCCURS ARE SUBJECT TO ENFORCEMENT BY LOCAL LAW ENFORCEMENT AGENCIES AND THE STATE COMPTROLLER'S OFFICE
- ▶ B.Y.O.L. EVENTS ARE HOWEVER PERMITTED WHEN PROPERLY ADVERTISED IN ADVANCE IN CONNECTION WITH CERTAIN ONE (1)-DAY (PER DIEM) LICENSES ISSUED TO LEGITIMATE NON-PROFIT ORGANIZATIONS
- ▶ NOT ALL PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES REQUIRES A ONE (1)-DAY (PER DIEM) LICENSE --- PRIVATE, INVITATION-ONLY AND/OR FREE EVENTS SUCH AS WEDDING RECEPTIONS OR COMPANY PARTIES ARE EXAMPLES OF SAME

# MYTH BUSTERS FROM THE BOARD (CONTINUED):

- ▶ THE BOARD DOES NOT GENERALLY REGULATE MARYLAND BREWERIES, WINERIES AND/OR DISTILLERIES (EXCEPT FOR CLASS DBR IN RE: BREWERIES)
- ▶ STATEWIDE CATERERS VIA STATE COMPTROLLER AND MOBILE CATERERS VIA BOARD MUST CATER BOTH ALCOHOL AND FOOD (NOT NECESSARILY “SOUP TO NUTS”)

*QUESTIONS, CONCERNS OR  
CURIOSITIES ???*

THANK YOU!

