

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
DOCKET-MARCH 26, 2009

Please note: If you are interested in a particular case, please call 396-4385 the day before these hearings to verify that a particular case is still scheduled for this date and time.

1:00 p.m. cases

Joseph Emery, JR & PM, Inc. T/a Flamingo Lounge, 403-05 E. Baltimore Street – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.10(a)** “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on December 30, 2008 (Re: Employee of establishment observed purchasing liquor from another retail establishment) and on January 15, 2009 (Re: Six bottles of distilled spirits confiscated as not having been purchased from a wholesaler)

DECISION:

Richard McCann, Brenda Isenock & Elizabeth Mason, Swallow at the Hollow, LLC T/a Swallow at the Hollow, 5921-23 York Road – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.10(a)** “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on February 2, 2009 (Re: Two bottles of distilled spirits confiscated as not having been purchased from a wholesaler)

DECISION:

Jerrious Hill, Garrett Lounge II, Inc. T/a Garrett Lounge, 2510 Garrett Avenue – Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on January 9, 2009 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet); **Violation of Article 2B §10-505** “Every person receiving a license under the provisions of this article shall frame his license under glass and place the same so that it shall at all times be conspicuous and easily read in his place of business...” on January 9, 2009 (Re: License was not displayed as required by law)

DECISION:

Fred A. Hill & Shirley O. Hill, Hill, Inc. T/a 19th Hole, 2722 Harford Road – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on January 9, 2009 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet); **Violation of Rule 3.02** “Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business” from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader's License as requested in letter to all licensees);

DECISION:

J. Dereck Heald, 132 S. Carey Street Corporation T/a Opposite Sidewalk Saloon, 132 S. Carey Street – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on January 29, 2009 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet)

DECISION:

Shanika Booker, AIG Lounge, Inc. T/a AIG Lounge, 291 S. Pulaski Street - Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one

(21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on January 29, 2009 (Re: Alcoholic beverage sold to 19 year old Baltimore City Police Cadet)

DECISION:

Michael Seay, United Association, Inc. T/a Whispers, 1807-11 Baker Street – Class BD7 Beer, Wine & Liquor license – **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on December 7, 2008 (Re: Police responded for fight that began inside establishment and continued outside); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 7, 2008 (Re: Female patron under the age of 21 served alcohol); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader’s License as requested in letter to all licensees) and from March 16, 2009 to date (Re: Corporate charter is not in good standing with Maryland Department of Assessments and Taxation)

DECISION:

3 p.m. cases

Andrea Huff & Scott Brooks, 410, Inc. T/a Club 410, 4507-09 Belair Road - Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on January 9, 2009 (Re: Alcohol sold to 20 year old BCPD cadet); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on January 25, 2009 (Re: Alcohol sold to 20 year old male patron); **Violation of Rule 4.02** “No licensee shall sell or furnish alcoholic beverages to any person under the influence of alcohol or narcotic drugs or who is disorderly in manner or to any person known to be a habitual drunkard or user of narcotic drugs” on January 11, 2009 (Re: Two patrons appeared to be intoxicated) and on January 25, 2009 (Re: Police witnessed intoxicated patron leave establishment and stumble across the street to his vehicle); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on January 9, 2009 and on January 11, 2009 (Re: Licensee unable to produce purchase records); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on January 9, 2009 and on January 11, 2009 (Re: Licensee unable to produce employee records); **Violation of Rule 3.02** “Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business” on January 9, 2009 (Re: Licensee and employee were verbally combative and uncooperative); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City” on January 9, 2009 and on January 11, 2009 (Re: Coolers holding alcohol were filthy, wet, moldy and no proper washing stations were set up for washing glassware) and on February 5, 2009 (Re: Establishment was over posted capacity) ; **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on January 9, 2009 (Re: Licensee allowing patrons to dance without permission from the Board) and on January 11, 2008 (Re: Police observed DJ speaking and patrons dancing when licensee does not have permission for live entertainment); **Violation of Article 2B §10-505** “Every person receiving a license under the provisions of this article shall frame his license under glass and place the same so that it shall at all times be conspicuous and easily read

in his place of business...” on December 26, 2008, on January 9, 2009 and on January 11, 2009 (Re: Current license was not displayed as required by law); **Violation of Rule 4.16** “No licensee shall allow his premises to be used for the purpose of possession, transfer or use of any narcotic drug” on January 11, 2009 (Re: During investigation, police found three pink ziplock bags with plant substance, suspected marijuana); **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on August 26, 2008 (Re: Patrons involved in dispute inside establishment, one patron left on a motorcycle and was chased and struck by another person in a truck), on December 6, 2008 (Re: Man shot just as he left establishment), on December 12, 2008 (Re: Patron shot as she left establishment) on January 11, 2009 (Re: Two patrons refused to cooperate with lawful order from police officer and were verbally combative) and on January 25, 2009 (Re: Police responded for fight outside club) and on January 27, 2009 (Re: Bloodied patron forced outside club by bouncers)

DECISION: