

**Citizens Committee to Review Alcoholic Beverage Laws (CCRABL)
Meeting Minutes**

**Truxtun Recreation Center
Meeting Room 3
March 2, 2010
6:00 PM to 7:30 PM**

Committee Members:

Whitney Chellis, Chair	Joe Lyon	Vince Quinlan
Brian Cahalan	Valerie Miller	Gilbert Renaut
Chris Fox	Sean O'Neill	Chuck Weikel
Lynne Jones	Vic Pascoe	Denise Worthen

Committee Resource Members:

Charles Grayston, Vice Chair
Lt. Mark Seidel (APD)

City Staff:

Sally Nash
Jacqui Rouse

Parties of Interest:

Alderman Israel
6 additional members of the public

General Notes:

The Chair opened the meeting and discussed the agenda for the night. The purpose of the meeting was to review background information on licensing, enforcement, and zoning. She also mentioned the committee's webpage and the dates and times for the next four meetings.

Chris Fox advised that he intends to participate fully in the committee, but will recuse himself from voting on the 2:00 a.m. license moratorium.

Agenda Item B-Licensing Issues: ABCB

Charlie Grayston (Vice Chair), of the Alcoholic Beverage Control Board (ABCB) gave a brief overview and discussed licensing information, including the makeup of the ABCB, application requirements, and renewal guidelines. He also discussed the required alcohol awareness training and the Training for Intervention Procedures (TIPS) program, that trains restaurant and bar employees on how to recognize underage drinkers and intoxicated patrons. The city code requires that at least one employee be working at all times who has been certified. A certification has a four year validity period. The State of Maryland licenses the alcohol awareness training programs.

A committee member requested that we explore options for who pays for the training. Currently the owner pays for the training (approximately \$40.00 a person). Could the City pay for the training of all employees out of license fees?

When an application for a new liquor license comes to the ABCB, the applicants are required to post a sign and advertise two times in the newspaper that they have applied for this license. Renewal licenses can be granted without a public hearing, but new licenses require a public hearing before the board in order to get approval. Any application can be protested per City Code. If it is protested, a renewal license application is treated as a new license and must go back through the public process. Among the requirements for a protest are that 10 residents sign the request.

Very few applications for licenses are denied, one since 1984. Applicants do need to demonstrate that they are filling a public need. The meaning of the term “public need” was discussed by the committee.

Agenda Item C- Enforcement Issues: APD

Lt. Mark Seidel of the Annapolis Police Department (APD) then explained police procedures regarding enforcement of liquor law violations. He has two inspectors and their team is required to conduct one (1) annual inspection of all establishments that sell alcohol. In addition to his team, patrol officers routinely deal with enforcement issues as they are occurring. The police department forwards all “relevant” infractions with merit to the ABCB, at the discretion of **Lt. Seidel**. He stated that bar managers and patrol officers generally have a good relationship with one another and they help each other keep tabs on potentially disorderly intoxicated patrons.

Whether to arrest a disorderly intoxicated person is a discretionary call on the part of the responding officer. It depends on the situation, the condition of the person, and the volume of calls that evening. APD books their own arrests, so an arrest takes an officer off the street for a period of time. It was noted that some jurisdictions have a booking officer for a shift so that the officer would pass the arrest to the booking officer and the arresting officer could stay on the street.

Agenda Item A-Zoning Issues (part 1): P&Z

Jacqui Rouse of the Planning and Zoning Department then discussed the role that zoning plays in determining the conditions that can be placed on a business that sells alcohol. She explained that some establishments that sell alcohol are permitted subject to standards, and some are special exceptions subject to standards, depending on the zoning classification. The C2 district downtown is one of the most restrictive zoning districts.

If a special exception is required, there are two public hearings—one before the Planning Commission and one before the Board of Appeals. There are typical conditions that are often placed on establishments in the course of this process, such as limiting hours of operation, limiting hours for live entertainment, and whether outdoor dining is allowed. Zoning approval must be obtained before ABCB approval.

Ms. Rouse stated that the difference between land use and licensing is a very important distinction for the committee to realize.

Agenda Item A (part 2)-Ward One Sector Study

Dr. Wil Scott, of the Planning Commission, then discussed the background behind the Ward One Sector Study (WOSS), originally adopted in 1993. He also discussed the nebulous concept of “community need.” He encouraged the committee to think hard about what kind of community they want.

The committee asked the P&Z Department to address a discussion regarding the validity of the WOSS as it related to land use. There had been opinions from the Office of Law that indicated that it is no longer applicable to land use decisions. This is a question that the committee finds very important to the work of the committee.

Closing:

The **Chair** again advised that the City Council will hold its public hearing on O-27-09 (2 AM) on March 22, 2010. The committee’s public hearing will be held on April 29, 2010 at 7:00 pm in the City Council Chambers.

The public was invited to comment. **Alderman Israel** addressed the committee and suggested that the committee address the fee issue. The Chair advised the committee and Alderman Israel that we would not be making a recommendation on the fee schedule until the work of the committee was completed.

No other members of the public spoke.

At the end of the meeting, the Chairwoman asked for suggestions for the next meeting. There was a consensus that the committee discusses fees for alcoholic beverage licenses.

The Committee requested more information on the following item:

Information on zoning regulations in Wards 2-8

THE MEETING WAS ADJOURNED AT 7:40

Action Items:

Look up information on the TIPS program and other similar programs to determine what criteria the state uses to designate (license) providers of this training (ABCB follow up).

Define criteria for “public need” as required by the ABCB for liquor license approval (ABCB to follow up).

Make Ward One Sector Study available, either digitally or hardcopy (P&Z).

Information on zoning regulations in Wards 2-8 (P&Z).

Draft interim Report DUE APRIL 1 (All)- More details regarding the interim report and what will be required are forthcoming from the City Clerk’s office (P&Z follow up).

Contact information for community groups and additional stakeholders (P&Z).

Draft notice of CCRABL to community groups and stakeholders (Whitney).

Facebook setup for CCRABL only (P&Z).

Next Meeting:

The next meeting for the committee will be held on **March 9, 2010 at 6:00pm** at the Truxtun Park Recreation Center, Meeting Room 3.

Draft Agenda(s):

March 9-Discussion of Current Fee Structure for Alcoholic Beverage Licenses

March 16- ABCB Licensing, procedure, process

March 23- APD Enforcement/Alcohol Compliance Program

March 30-Land Use and Zoning

Schedule of Public Hearings:

March 22 7:30 PM -City Council (O-27-2010)

April 12 7:30 PM City Council- **Interim Report**

April 29 7:00 PM- CCRABL City Council Chambers (R-73-09)

July 26 7:30 PM-ABL City Council –**Final Report**

END