



## City of Annapolis

Office of the City Clerk  
145 Gorman Street, 3<sup>rd</sup> Fl  
Annapolis, MD 21401

[TBucalo@annapolis.gov](mailto:TBucalo@annapolis.gov) • 410-263-7942 • Fax 410-280-1853 • TDD 410-263-7943 • [www.annapolis.gov](http://www.annapolis.gov)

### Alcoholic Beverage Control Board

#### Application for a License to Sell or Serve Alcoholic Beverages

The Alcoholic Beverage Control Board meets the first Wednesday of each month at 3:00 p.m. in the Council Chamber, City Hall, 160 Duke of Gloucester Street, Annapolis.

**Filing fee:** \$225.00 payable to the City of Annapolis, non-refundable

**Application due:** *See schedule*

**Special exception approval:** Restaurants seeking an alcoholic beverage license are required to obtain Special Exception approval or a Certificate of Use prior to submission of their application to the Alcoholic Beverage Control Board. Contact the Planning and Zoning Department at 410-263-7961. Please submit a copy with your application.

#### General information:

1. No more than one alcoholic beverage license may be issued to any person in the City of Annapolis.
2. Any new license issued shall be placed in use within six (6) months of the date of the granting of the license. If not used within the six (6) month period, the license shall be null and void.
3. The Board shall not approve an application for the transfer of a license until all of those financial obligations of the transferor business have been paid or satisfied. An affidavit to that effect must be submitted with your transfer (City Code 7.12.180C).
4. A holder of an alcoholic beverage license, or an employee designated by the licensee, must successfully complete training in an approved alcohol awareness program. This requirement must be fulfilled prior to the issuance of the alcoholic beverage license. (Annotated Code of Maryland, Article 2B, Section 13-101.)
5. Fingerprinting for State background check is **required**. Please read the instructions and submit a completed fingerprint card along with a check to CJIS for processing, as stated in the instructions.
6. All licenses expire on April 30<sup>th</sup> of each year. The fee for licenses issued after May 1<sup>st</sup> shall be prorated on a quarterly basis.
7. Types and classes of licenses and fees are found in the [Rules and Regulations](#) on the City website.
8. Please include a cover letter which includes the information requested by Planning and Zoning. (See the memo attached at the end of this packet.)

**All licensees are required to be present at the hearing.** If you desire, you may be represented by counsel. Please contact this office if you have any questions or need assistance.

## Applying for a License to Sell or Serve Alcohol

1. The issuance of alcoholic beverage licenses is governed by state law, namely, Article 2B Annotated Code of Maryland. Specific requirements are set out in Section 10-102. These guidelines paraphrase those requirements.
2. You must convince the Board that there is a public need or desire for the license. Note that the need or desire must be on the part of the *public*, not on the part of the applicant. If you cannot show public need, then the Board is mandated by Article 2B to disapprove the application.
3. You must address the number and location of existing licenses and the potential effect on those existing businesses. Discuss the commonality or uniqueness of the products and services to be offered by the applicant's business.
4. Discuss the impact on the general health, safety and welfare of the community. In particular, discuss issues related to crime, traffic, and parking.
5. If the Board determines that the business will unduly disturb the peace of those residing in the neighborhood, it cannot grant the license.

### Application Submission Deadline 2010

ABCB meeting date		Application deadline	
January	6	November <b>2009</b>	25
February	3	December <b>2009</b>	23
March	3	January	20
April	7	February	24
May	5	March	24
June	2	April	21
July	7	May	26
August	4	June	23
September	1	July	21
October	6	August	25
November	3	September	22
December	1	October	20

# Instructions

## Individuals/Partnerships

1. At least one person named in the application shall:
  - a. be a registered voter in the City of Annapolis for two years preceding the filing of the application and continue to be registered during the term of the license;
  - b. be a resident of the City of Annapolis for at least two years preceding the filing of the application and continue to be so resident during the term of the license.
2. Documents required:
  - a. Complete original application *plus ten copies*.
  - b. Financial Information Forms, 1 per applicant.
  - c. *Ten copies* of architect's plans (folded 8 ½ x 11) of the premises and enclosed premises to be licensed. Detail is to include, but is not necessarily limited to:
    - i. Food and beverage preparation areas;
    - ii. Location of restrooms and detail thereof;
    - iii. Types of material used on floors, ceilings, and walls;
    - iv. Locations of storage areas and, if pertinent, sales areas;
    - v. Location of signs required by the [Rules & Regulations](#) , the Fire Department, and other governmental agencies.
    - vi. Transfer applicants may submit an affidavit stating that the plans currently on file with the Board fully and correctly conform with these requirements. If such plans do not so conform, the transfer applicant must provide new or amended plans.
  - d. Certificate of completion of an Alcohol Training Awareness Program.
  - e. Certification of Title 6 Bulk Transfer Compliance (required prior to issuance of license).
  - f. Transfer Authorization.
  - g. A copy of Maryland Sales & Use Tax License.

## Corporations/LLC

1. The license shall be applied for by and issued to three of the officers, at least one of whom shall:
  - a. be a registered voter in the City of Annapolis for two years preceding the filing of the application and continue to be registered during the term of the license;
  - b. be a resident of the City of Annapolis for at least two years preceding the filing of the application and continue to be so resident during the term of the license.
2. Documents required:
  - a. Complete original application *plus ten copies*.
  - b. Financial Information Forms, 1 per applicant.
  - c. *Ten copies* of architect's plans (folded 8 ½ x 11) of the premises and enclosed premises to be licensed. Detail is to include, but is not necessarily limited to:
    - i. Food and beverage preparation areas;
    - ii. Location of restrooms and detail thereof;
    - iii. Types of material used on floors, ceilings, and walls;
    - iv. Locations of storage areas and, if pertinent, sales areas;
    - v. Location of signs required by the [Rules & Regulations](#) , the Fire Department, and other governmental agencies.
    - vi. Transfer applicants may submit an affidavit stating that the plans currently on file with the Board fully and correctly conform with these requirements. If such plans do not so conform, the transfer applicant must provide new or amended plans.
  - d. Copy of Articles of Incorporation; or, if an LLC, LLC operating agreement.
  - e. Names and addresses of all officers of the corporation or members of the LLC.
  - f. Certificate of completion of an Alcohol Training Awareness Program.
  - g. Certification of Title 6 Bulk Transfer Compliance (required prior to issuance of license).
  - h. Transfer Authorization.

- i. A copy of Maryland Sales & Use Tax License.

## Clubs

1. Alcoholic beverage licenses may be issued only to clubs when the following conditions are met:
  - a. The club has been in operation within the City for a period of one year.
  - b. The club has a sufficient number of members to support its operation with such a license and without the patronage of guests and other non-members.
  - c. The club was not formed for the purpose of obtaining an alcoholic beverage license.
  - d. Guests or non-members will not be admitted unless sponsored by a member who is present during the guest's presence. A Class C licensee may be permitted to sponsor four events each calendar year during which the general public is invited. The licensee shall petition the Board for approval at 30 days before each event and approval shall be in the sole discretion of the Board.
2. The license shall be applied for by and issued to three of the officers, at least one of whom shall:
  - a. be a registered voter in the City of Annapolis for two years preceding the filing of the application and continue to be registered during the term of the license;
  - b. be a resident of the City of Annapolis for at least two years preceding the filing of the application and continue to be so resident during the term of the license.
3. Documents required:
  - a. Complete original application *plus ten copies*.
  - b. *Ten copies* of architect's plans (folded 8 ½ x 11) of the premises and enclosed premises to be licensed. Detail is to include, but is not necessarily limited to:
    - i. Food and beverage preparation areas;
    - ii. Location of restrooms and detail thereof;
    - iii. Types of material used on floors, ceilings, and walls;
    - iv. Locations of storage areas and, if pertinent, sales areas;
    - v. Location of signs required by the [Rules & Regulations](#) , the Fire Department, and other governmental agencies.
    - vi. Transfer applicants may submit an affidavit stating that the plans currently on file with the Board fully and correctly conform with these requirements. If such plans do not so conform, the transfer applicant must provide new or amended plans.
  - c. Copy of By-Laws.
  - d. Names and addresses of all officers of the club.
  - e. Certificate of completion of an Alcohol Training Awareness Program.
  - f. Affidavit of Non-Discrimination.



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## Alcoholic Beverage Control Board Transfer Authorization

I (We), \_\_\_\_\_, holder or holders, of a retail Alcoholic Beverages License no. \_\_\_\_\_ issued by the Alcoholic Beverage Control Board in accordance with the Alcoholic Beverages Laws of the State of Maryland for premises known as \_\_\_\_\_, Annapolis, Maryland, do hereby request, consent to and authorize the Alcoholic Beverage Control Board for the City of Annapolis to transfer said license and permits and all privileges thereunder to \_\_\_\_\_

IN WITNESS WHEREOF this instrument is signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Witness \_\_\_\_\_

Address \_\_\_\_\_ Seller

Witness \_\_\_\_\_

Address \_\_\_\_\_ Seller

Witness \_\_\_\_\_

Address \_\_\_\_\_ Seller

Settlement was made on \_\_\_\_\_

Purchaser signature (only one) \_\_\_\_\_



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## Alcoholic Beverage Control Board

### Certification of Title 6 Bulk Transfer Compliance

#### AFFIDAVIT OF TRANSFEROR

Pursuant to Annotated Code of Maryland Article 2B, Section 10-503 (4)

I, \_\_\_\_\_ (seller/transferor), do hereby swear and affirm that I have complied in all respects with the Maryland Annotated Code, Commercial Law Article, Title 6 (Bulk Transfer Act) insofar as it relates to the sale of my business,

\_\_\_\_\_, (legal or corporate name), which does business as \_\_\_\_\_ (trade name), and which business I am selling to \_\_\_\_\_ (buyer/transferee).

Signature of seller/transferor \_\_\_\_\_

STATE OF MARYLAND, ANNE ARUNDEL COUNTY, to wit:

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared the Seller/Transferor named above, and made oath in due form of law that the matters and facts stated above are true to the best of his/her knowledge, information and belief.

WITNESS my hand and Notarial Seal.

Notary Public \_\_\_\_\_ My Commission expires \_\_\_\_\_



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## Alcoholic Beverage Control Board

### Financial Information Form

*Applicant must have a pecuniary interest in the establishment.*

**A false statement may constitute grounds for denial or revocation of the license.**

Applicant name \_\_\_\_\_

Address \_\_\_\_\_

How long? \_\_\_\_\_ Date of birth \_\_\_\_\_

Most recent employer \_\_\_\_\_

Address \_\_\_\_\_

Position or title \_\_\_\_\_

How long employed? \_\_\_\_\_ Type of business \_\_\_\_\_

List any and all business interests.

I am or will be the \_\_\_\_\_ owner \_\_\_\_\_ partner \_\_\_\_\_ stockholder \_\_\_\_\_ member \_\_\_\_\_ in the licensed business.

If a stockholder, how many shares? \_\_\_\_\_

My personal contribution will be \$ \_\_\_\_\_

Of this amount, \$ \_\_\_\_\_ will be in cash and will be or has been derived from the following sources:

If LLC member, contribution is \_\_\_\_\_ cash \_\_\_\_\_ property \_\_\_\_\_ services.

**Notice: Falsification of the information on this form may constitute grounds for denial or revocation of the license.**

I HEREBY CERTIFY on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, under the penalties of perjury, that the matters and facts set forth above are true and correct to the best of my information and belief.

Applicant \_\_\_\_\_ Witness \_\_\_\_\_



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## Alcoholic Beverage Control Board

### Application for Alcoholic Beverage License

\$200.00 non-refundable application fee. Please see the [Rules & Regulations](#) for current fee schedule.

If transfer, formerly trading as \_\_\_\_\_

Class of license desired. Select from [Rules & Regulations](#) Appendix A, page 19 \_\_\_\_\_

Categories	Beer	Beer and Wine Tasting	Beer and Light Wine	Sidewalk Café
	Beer, Wine and Liquor		Wine & Beer (Wine Bar)	
Applicant	Club	Individual	LLC Corporation	Partnership
Type of license	New	Transfer	Upgrade	Expansion
	Institution for the care of the aged			

**To the Alcoholic Beverage Control Board:**

Application is made by the undersigned under the provisions of Article 2B of the Annotated Code of Maryland, as amended, titled "Alcoholic Beverages" and Chapter 7.12 of the Annapolis City Code, for the above license, and the applicants submit and certify to the following information required by the Article:

A. Name \_\_\_\_\_ Age \_\_\_\_\_ Sex \_\_\_\_\_  
 Residence \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 How long? \_\_\_\_\_ Phone \_\_\_\_\_ Day \_\_\_\_\_ Driver's license \_\_\_\_\_ State \_\_\_\_\_  
 Birth date \_\_\_\_\_ Place \_\_\_\_\_ Naturalized at \_\_\_\_\_ Year \_\_\_\_\_

B. Name \_\_\_\_\_ Age \_\_\_\_\_ Sex \_\_\_\_\_  
 Residence \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 How long? \_\_\_\_\_ Phone \_\_\_\_\_ Day \_\_\_\_\_ Driver's license \_\_\_\_\_ State \_\_\_\_\_  
 Birth date \_\_\_\_\_ Place \_\_\_\_\_ Naturalized at \_\_\_\_\_ Year \_\_\_\_\_

C. Name \_\_\_\_\_ Age \_\_\_\_\_ Sex \_\_\_\_\_  
 Residence \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 How long? \_\_\_\_\_ Phone \_\_\_\_\_ Day \_\_\_\_\_ Driver's license \_\_\_\_\_ State \_\_\_\_\_  
 Birth date \_\_\_\_\_ Place \_\_\_\_\_ Naturalized at \_\_\_\_\_ Year \_\_\_\_\_

1. The applicant(s) is(are) citizens of the United States. True      False
2. Have you been a resident of the City of Annapolis and a City of Annapolis voter for more than two years prior to filing this application? Applicant A.    Yes    No    B.    Yes    No    C.    Yes    No
3. Corporate name of the applicant \_\_\_\_\_  
 Trading as \_\_\_\_\_

## Alcoholic Beverage Control Board

### Application for Alcoholic Beverage License

Desired license location and address \_\_\_\_\_

Workmen's Compensation Binder or Policy number \_\_\_\_\_

4. Premises description Lot size \_\_\_\_\_ Size and type of construction and building or area applied for \_\_\_\_\_

5. Name of the owner of premises described above \_\_\_\_\_

6. The applicant(s) has(have) never been convicted of a felony. True False

7. The applicant(s) has(have) never been adjudged guilty of violating the laws governing the sale of alcoholic beverages or for the prevention of gambling in the State of Maryland. True False

If false, give names, dates and offenses. \_\_\_\_\_

8. The applicant(s) has(have) a pecuniary interest in the business to be conducted under said license. True False

9. The applicant(s) has(have) not had a license for the sale of alcoholic beverages revoked. True False

10. The applicant(s) is(are) not pecuniarily interested in any other place of business in the City of Annapolis or Anne Arundel County where, or for which, a license has been applied for, granted or issued under Article 2B, except as otherwise permitted by Article 2B. True False

11. The applicant(s) has(have) never been adjudged guilty of any offense against the laws of the State or United States. True False

12. Has(Have) the applicant(s) ever held a license for the sale of alcoholic beverages? Yes No  
If yes, in what state, and at what location. \_\_\_\_\_

13. No person except the applicant(s) is in any way pecuniarily interested in the license applied for or in the business to be conducted thereunder during the continuance of the license, if issued. True False

a. What financial interest does each of the applicants have in the business?

Applicant % A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_

b. If any persons other than the applicants are pecuniarily interested in the business, please provide names, title in corporation, *percentage* of interest, shares of stock, and a statement if they hold an interest in any other alcoholic beverage license.

14. No manufacturer, brewer, distiller, or wholesaler, directly or indirectly, has any financial interest in the premises or business of the applicant(s) and the applicant(s) will not convey or grant to any manufacturer, brewer, distiller or wholesaler any such interest, except as otherwise permitted by Article 2B; and the applicant(s) (has/have) at the time of making the application no indebtedness or other financial obligation and will not incur any such indebtedness or other financial obligation, directly or indirectly, to any manufacturer, brewer, distiller or wholesaler other than for the purchase of alcoholic beverages.

True False

15. The applicant(s) will, if granted a license, conform to all laws and regulations relating to the business in which the applicant(s) propose(s) to engage. True False

## Alcoholic Beverage Control Board Application for Alcoholic Beverage License

16. The applicant(s) submit(s) herewith a statement duly executed and acknowledged by the owner of the premises in which the business is to be conducted, assenting to the granting of the license applied for, authorizing the State Comptroller, his duly authorized deputies, inspectors, and clerks, the Annapolis City Council, its clerks, duly authorized agents and employees, and any peace officer of the City of Annapolis, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours. True                      False

17. The license for which this application is made is to be for the period beginning \_\_\_\_\_ and ending April 30<sup>th</sup> next from the date hereof.

18. The applicant(s) tender herewith the sum of \$200.00, a non-refundable application fee, and the applicant(s) hereby agree(s) to be responsible for the expenses incurred in connection with the publication of the notice of the application in a newspaper published in the City of Annapolis and for the posting of a sign upon the premises. True                      False

**Extract from Law**

If any affidavit or oath required under the provisions of this Act shall contain any false statement, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof, shall be subject to the penalties provided by law for that crime.

**Names and addresses of officers:**

Name \_\_\_\_\_ Title \_\_\_\_\_  
Residence \_\_\_\_\_  
Name \_\_\_\_\_ Title \_\_\_\_\_  
Residence \_\_\_\_\_  
Name \_\_\_\_\_ Title \_\_\_\_\_  
Residence \_\_\_\_\_

**Signatures \*** Note: If President or Vice-President is one of the applicants, he/she must also sign as an applicant.

\* President or Vice-President \_\_\_\_\_  
1. Applicant \_\_\_\_\_  
2. Applicant \_\_\_\_\_ (Corporate Seal)  
3. Applicant \_\_\_\_\_

**Certifications**

1. STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:  
I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared \_\_\_\_\_, the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of (his/their) knowledge and belief.

WITNESS my hand and notarial seal.

Notary Public \_\_\_\_\_ My Commission expires: \_\_\_\_\_

## Alcoholic Beverage Control Board Application for Alcoholic Beverage License

2. STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared \_\_\_\_\_, the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of (his/their) knowledge and belief.

WITNESS my hand and notarial seal.

Notary Public \_\_\_\_\_ My Commission expires: \_\_\_\_\_

3. STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared \_\_\_\_\_, the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of (his/their) knowledge and belief.

WITNESS my hand and notarial seal.

Notary Public \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

### Statement of owner of premises required in connection with Alcoholic Beverages Law of Maryland

I hereby certify that I am the owner of property known as \_\_\_\_\_ in the foregoing application made to the City of Annapolis Alcoholic Beverage Control Board under the Alcoholic Beverages Law of Maryland; that I assent to the granting of the license applied for, and that I hereby authorize the State Comptroller, his duly authorized deputies, inspectors, and clerks, the Annapolis City Council, its clerks, duly authorized agents and employees, and any peace officer of the City of Annapolis, to inspect and search without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted at any and all hours.

WITNESS my hand and seal. \_\_\_\_\_ (Seal)

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared \_\_\_\_\_, the applicant(s) named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of (his/their) knowledge and belief.

WITNESS my hand and notarial seal.

Notary Public \_\_\_\_\_ My Commission expires: \_\_\_\_\_



## City of Annapolis

Planning & Zoning Department  
145 Gorman Street, 3<sup>rd</sup> Fl  
Annapolis, MD 21401-2535

Phone 410-263-7961 • Fax 410-263-1129 • TDD 410-263-7943 • [www.annapolis.gov](http://www.annapolis.gov)

May 10, 2000

### Memorandum

To: Alcoholic Beverage Control Board

From: Jon Arason, AICP  
Planning and Zoning Director

RE: Review of License Applications

In order to more efficiently review applications for alcoholic beverage licenses, please attach a cover sheet to each application sent to this department for review that provides the following information:

- Is the applicant the existing owner or a new owner?
- Is the applicant making any changes to the existing business?
- Is there any change to the seating capacity?
- What are the hours of operation of the business?
- What type of alcoholic beverages are proposed to be served: beer only, beer and wine, or beer, wine and liquor?
- If the business is currently in operation, is what is proposed in any way different from what is currently done?
- Is the type of alcoholic beverage license consistent with the actual operation of the business?
- If there is now an existing license for the business or there has been one in the last two years, please provide details as to what that license allowed if it is in any way different from the current license application. This would include hours, type of alcoholic beverages to be sold, any changes to the floor plan or to the number of seats.

Thank you in advance for your cooperation.