



HARFORD COUNTY LIQUOR CONTROL BOARD

NOTES FROM THE INSPECTOR



June, 2021

Notes from the Inspector

As we emerge from the Executive Orders, temporary permissions, and license restrictions of the past 15 months, we are getting closer to normal operations throughout Harford County. The below information is meant to assist all licensees as we continue this transition. As always, I am here to assist all licensees in becoming compliant and successful in their daily operations. Do not hesitate to contact me via email or phone with any questions or concerns.

Licensee Involvement

It is imperative that every licensee has an active role in his or her business. By doing so, you can ensure that your business is operating in compliance with all rules and regulations. A minimum of 30 hours per week is considered to be a substantial amount of time. Being at your home in the vicinity of your licensed establishment does not constitute being present on the premises of the establishment for which you hold the license. The Board no longer requires license applicants to be Harford County residents in order to serve as the Responsible Operator of a licensed establishment. There are currently several investigations ongoing throughout the county regarding potential violations of this rule. If you are in violation, now is the time to do what you must to achieve compliance with this rule.

3:01 OWNERSHIP AND OPERATION: B.R.

(a) Every licensee or applicant, other than clubs, shall be the actual owner and operator of the business conducted on the licensed premises. The identity of any person, not a licensee, having any financial interest in said business shall be disclosed to the Board in writing. If it be discovered that persons other than the applicant for a new/transfer/upgrade or an existing License is the actual owner of the business, said License will be revoked, terminated, or denied.

(b) In the case of a business where any family member (i.e., husband, wife, parent, child, siblings, etc.) is on the License, and any family member (who is on another License) helps in the licensed business, that person is not permitted to sell alcoholic beverages, to inventory, to stock, to place orders for alcohol, to hire and/or fire employees, to sign business checks, and is not permitted to be on the payroll.

Hours of Operation

Some licensees have adjusted their operating hours during the State of Emergency. Depending upon the class of your license, you may have specific requirements regarding your business hours. As of July 1, 2021, all licensees will be expected to operate in accordance with the requirements of the class of license held. Holders of Restaurant Licenses are primarily affected by this. Restaurants are required to serve 2 full course meals daily under the below requirements per the rule:

Full Course Meals at least twice daily shall include at least two of the following: breakfast, lunch, or dinner (to be served during customary hours for such meals) at least 5 days per week. Meals must consist of more than just appetizers, snack foods, and/or prepackaged foods.

Alcohol Awareness Certification

There was a time in 2020 where it was difficult to gain certification in Alcohol Awareness. Classes with online tests do not meet Maryland requirements for certification. COVID-19 concerns prevented in-person classes and certification for many. As a result, any Alcohol Awareness certification that expired after March 13, 2020, was considered valid for inspection purposes. However, Alcohol Awareness training is now available through a number of sources. Effective July 1, 2021, all licensed establishments will be expected to comply with the rules and regulations pertaining to Alcohol Awareness and all certifications must have been within the last four years to be considered valid.

3:14 ALCOHOL AWARENESS TRAINING AB § 4-505(f); AB § 22-1903

(a) The license holder or an individual designated by the license holder who is employed in a supervisory capacity shall be certified by a state-approved alcohol awareness program; and be present on the licensed premises during the hours in which alcoholic beverages may be sold.

(b) The training shall be valid for 4 years, and the holder shall be retrained in a similarly approved program for each successive 4-year period.

(c) On request, a valid certificate shall be presented to the Board, a representative of the Board, or any federal, state, or local law enforcement agency.

(d) A license holder who violates this section is subject to:

(1) For the first offense, a \$100 fine; and

(2) For each subsequent offense, a fine not exceeding \$500, or a suspension or revocation of the license, or both.

Sales to Minors

Underage Compliance testing resumed in January, 2021, and the results have been disappointing. During that first series of tests, three of 22 licensed establishments failed by serving alcohol to an underage person. In March, five of 15 licensees served alcohol to an underage person. In June, 2021, an astonishing eight of 17 licensed establishments failed the underage compliance testing by serving alcohol to a person under the age of 21. In many of these failures, the server had been employed at the location for several years. In others, the server was a fairly new employee. In either case, there is no excuse for any licensed establishment to allow this to occur. In each of these failures, the server failed to review the identification of the individual served. By verifying identification for any customer who appears to be under the age of 50, and by refusing to accept vertical identifications, you can significantly reduce the access to alcohol by those under the age of 21. Please conduct enhanced training with your staff to ensure that you are not contributing to the possession of alcohol by those under the age of 21.

Temporary Outside Service Areas

At the onset of COVID restrictions, many licensees requested, and were granted, *temporary* outside service area approval. The Liquor Control Board has opted to extend those temporary approvals through December 31, 2021. If you are located within a municipality, you must also gain approval from that municipality to continue exercising this temporary privilege. If you will be applying for a *permanent* outside service area for which you have not previously been approved, **now is the time to make that application**. If you have not been approved for a temporary outside service area and wish to do so, please send an email with the request, including a diagram of the proposed area.

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