



HARFORD COUNTY LIQUOR CONTROL BOARD



HOW TO APPLY

FOR A NEW OR TRANSFER ANNUAL ALCOHOLIC BEVERAGE LICENSE IN HARFORD COUNTY, MARYLAND

CONTACT THE BOARD OFFICE:

Address: 16 N. Main Street, Bel Air, MD 21014

Phone: 410-638-3028 / 410-638-4970 (Fax)

Email: contact@hclcb.org

Web: www.hclcb.org

**OBTAINING AN APPLICATION FOR A NEW OR TRANSFER LICENSE
IN HARFORD COUNTY**

- **Online:** Visit the Harford County Liquor Control Board website at: www.hclcb.org to view all required documents. All application forms are available online in a fillable format (under *Associated Documents* on the *License Applications* tab), but must be downloaded, printed, and properly signed and notarized prior to submission with all required documents (see pages 5-6)
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NEW LICENSE

VS.

TRANSFER LICENSE

A New License May be Issued to:

- A business/facility that has never had an alcohol license; or
- A previously-licensed business/facility wherein the alcohol license has been turned in for cancellation; or
- A previously-licensed business/facility wherein the alcohol license has expired/not been renewed; or
- A previously-licensed business/facility wherein the alcohol license has been declared null & void by the Board.

A Transfer License May be Issued to:

- A currently-licensed business, which, in its entirety, is under a purchase agreement or contract of sale; or
- A currently-licensed business which desires to change the physical location of the business; or
- A currently-licensed business which intends to remove/replace a licensee holding a majority interest; or
- A currently-licensed business which intends to remove/replace the sole Harford County resident licensee; or
- A currently-licensed business which desires to change its class of license.

Distance Requirements

- **Church** – No license will be granted to sell alcoholic beverages within **300 feet** of any church or other place of worship.
- **School** – No license will be granted to sell alcoholic beverages within **1000 feet** of any public, private parochial, or bona fide church school building. There must be classes for kindergarten and higher to be considered a school building. Paid daycare facilities do not qualify as a school.
- Distance shall be measured from the **nearest point** of the to-be-licensed building to the **nearest point** of the school, church, or other place of worship.

Certain Exceptions Apply

**For More Information, Contact the Board Office
at 410-638-3028**

MOST REQUESTED RESTAURANT LICENSES

Class	Type	Annual Fee
B1	Beer & Wine – On Sale Only <ul style="list-style-type: none"> • Requires service of two (2) full course meals twice daily (minimum 5 days a week) • May upgrade to Beer, Wine & Liquor License after six (6) months • Seating for 60 persons required to upgrade to Beer, Wine & Liquor • Food Sales must exceed alcohol sales (51%) to upgrade to Beer, Wine & Liquor 	\$500
BNR	Beer, Wine & Liquor – On Sale Only <ul style="list-style-type: none"> • Requires minimum \$250,000 capital investment in kitchen & dining room equipment • Seating for 60 persons required • Requires service of two (2) full course meals twice daily (minimum 5 days a week) • Food Sales must exceed Alcohol Sales (51%) to maintain license. 	\$3,000
B-FD	Beer, Wine & Liquor – On Sale Only <ul style="list-style-type: none"> • Requires service of full-course dinners at least five (5) days a week • Must open for business not later than 5:00 p.m. for dinner • Permits Lunch/Brunch service on no more than two (2) days a week • Requires minimum \$500,000 capital investment • Seating for 60 persons required • Food sales must be at least 65% of combined food and alcohol sales 	\$2,900
B-Café	Beer & Wine On/Off Sale OR Beer & Wine On/Off – Liquor On Sale Only <ul style="list-style-type: none"> • Issued to establishment with adequate tables, chairs, and facilities for preparing and serving meals (as determined by the Board) • Includes on-premises wine tasting privilege for every day of the year • Food Sales must exceed 50% of beer and wine / beer, wine and liquor sold for on-premises consumption • No more than 10% of the total square footage of the establishment can be dedicated to display of beer & wine offered for retail sale. 	\$1,575 for BW \$3,000 for BWL

APPLICANT QUALIFICATIONS

BASIC QUALIFICATIONS:

Applicants for the license must:

- (1) Have lawful permanent residence in the United States and provide a copy of current picture identification with an address, such as a driver's license. Foreign-born applicants must provide proof of either U. S. Citizenship or lawful permanent residence in the U.S. (such as a copy of a permanent resident card, naturalization certificate or U.S. passport);
- (2) Not have been convicted of any felony; and
- (3) Include at least one applicant who will be primarily responsible for the day-to-day operation of the business. This means the applicant will serve as a manager or supervisor **AND** be physically present on the premises for a substantial amount of time on a daily basis (a minimum of 30 hours per week). This applicant is known as the *Responsible Operator Applicant*.

FURTHER QUALIFICATIONS:

- (1) **Individual Applicant (Sole Proprietorship)**: An applicant not operating the business under a corporation, limited liability company, or partnership may apply as an individual. The applicant must be the sole owner of the business **AND** be physically present on the premises for a substantial amount of time on a daily basis (a minimum of 30 hours per week).
- (2) **Partnership**: The license must be applied for by **all** partners, one of whom will be designated as a manager or supervisor **AND** be physically present on the premises for a substantial amount of time on a daily basis (a minimum of 30 hours per week).
- (3) **Corporation**: Application **must be made by at least three (3) officers of the corporation**. If there are more than three officers, please select no more than four (4). For a **Restaurant License**, each officer named as an applicant must have a **minimum of 10%** financial interest in the business. For an **Off-Sale License (Class A or A-1)** the **Responsible Operator Applicant** shall have a **minimum of 25%** financial interest in the business. The Responsible Operator Applicant **shall serve as manager or supervisor and be physically present on the premises a substantial amount of time on a daily basis** (minimum of 30 hours per week). Corporations must be in **good standing** with the State of Maryland at the time application is made. **Contact the State of Maryland at 410-767-1330 or online at www.dat.state.md.us** for more information.

APPLICANT QUALIFICATIONS

FURTHER QUALIFICATIONS: (CONTINUED)

- (4) **Limited Liability Company:** Application must be made by at least three (3) members (or authorized persons) of the limited liability company. If there are more than three members, please select no more than four (4). For a **Restaurant License**, each member named as an applicant must have a **minimum of 10%** financial interest in the business. For an **Off-Sale License (Class A or A-1)** the **Responsible Operator Applicant** shall have a **minimum of 25%** financial interest in the business. The Responsible Operator Applicant **shall serve as manager or supervisor, and be physically present on the premises a substantial amount of time on a daily basis** (minimum of 30 hours a week). Limited Liability Companies must be in **good standing** with the State of Maryland at the time application is made. **Contact the State of Maryland at 410-767-1330 or online at www.dat.state.md.us** for more information.

ADDITIONAL REQUIREMENTS:

- (1) **Live Scan:** Live Scan pre-registration applications **must** be obtained directly from the Liquor Control Board Office. An FBI Privacy Act Statement (dated 218) and a NonCriminal Justice Applicant's Privacy Rights Statement (dated 2019) are provided to each license applicant. The Board is required to retain signed copies of these statements for audit purposes. Live Scan services are offered at various MVA locations or at one of the private providers found here: <https://www.dpsc.state.md.us/publicservs/fingerprint.shtml> (scroll down the page to find the section titled "Private Providers". All fees due for live scan services are paid directly to the live scan operator. **Please note: Live Scan paperwork will only be provided to the applicants after the application packet has been submitted and reviewed by Board staff.**
- (2) **Licensee Test:** All persons applying for new or transfer licenses will be required to pass a Licensee Test prior to final approval being granted by the Board. Questions included in the test are fundamental questions derived from the *Rules & Regulations of the Harford County Liquor Control Board*, which are available online at www.hclcb.org, or via the Board Office (for a \$10.00 fee). Licensee tests are conducted prior to the license hearing; and the Board will not approve an application for license until all applicants have successfully completed the test. Contact Chief Inspector Dan Buchler via email at dgbuchler@hclcb.org to schedule testing.

REQUIRED DOCUMENTS

- Application:** Must be original forms provided by the Board Office. Photo/Fax copies will not be accepted. All information given by all parties must be truthful, and all questions on the application must be answered.
- Corporation Documents:** Corporation applicants must submit the following: **(1) Articles of Incorporation, (2) State Certificate of Approval, (3) Corporate Minutes** (showing the election of the officers of the Corporation), **(4) Stock Certificates, (5) Stock Ledger, and (6) Listing of 100% Ownership (by percentage).**
- Limited Liability Company Documents:** Limited Liability Company applicants must submit the following: **(1) Articles of Organization, (2) Operating Agreement, and (3) Listing of 100% Membership (by percentage).**
- Partnership Documents:** Partnership applicants must submit the following: **(1) Partnership Agreement and (2) Listing of 100% Ownership (by percentage).**
- Affidavit of Responsibility (Responsible Operator):** Must be completed by the designated Responsible Operator.
- Franchise Agreement:** Franchise applicants must submit a copy of the franchise agreement; and if **publicly traded**, proof of same must be provided.
- Maryland Sales & Use Tax License:** A copy of the Maryland Sales & Use Tax license must be submitted.
- Lease:** If Applicants are leasing the business premises, a copy of the **fully executed lease** must be submitted. If the property is to be purchased, a **purchase agreement or contract of sale** must be submitted.
- Floor Plan & Site Plan:** A detailed floor plan and site plan must be submitted.
- Menu:** Applications for restaurants must include a copy of the menu.
- Worker's Compensation Insurance:** A current certificate of insurance must be submitted prior to the issuance of the license.
- Necessary Approvals:** You must have final approvals from all agencies **prior** to the scheduled hearing; including, but not limited to, the following: **(1) Health Department, (2) Fire Marshal, and (3) Certificate of Occupancy Permit.**
- Clearances for all Tax Agencies:** Businesses must be clear of all tax obligations prior to the scheduled hearing. Contact **Paula Anis at Harford County Revenue Collections (410-638-3290)** and **India Richards (667-401-2816)** or **Tammy Washington (410-767-1550)** at the **Comptroller's Office** for more information.

FORMS & DOCUMENTS TO BE SUBMITTED BY EACH APPLICANT

- Consent for Records Check**
- Police Questionnaire**
- Copy of Driver's License**
Each Applicant must submit a copy of their current driver's license.
- Live Scan Preregistration Application**
Must be obtained from the Board Office after the application has been submitted and reviewed.
- Personal Financial Information Form**
- Proof of Ownership Interest in the Business**
As detailed on the *Personal Financial Information Sheet*
- Proof of Total Capital Investment in the Business**
As detailed on the *Personal Financial Information Sheet*
- Receipt of Rules & Regulations**
- Proof of Alcohol Awareness Training**
- Proof of U.S. Citizenship or Lawful Permanent Residence**
All foreign-born applicants must provide proof of either U. S. Citizenship or lawful permanent residence in the U.S. (i.e., permanent resident card, naturalization certificate, or U.S. Passport).

ADDITIONAL DOCUMENTS REQUIRED FOR TRANSFER APPLICATIONS

- Agreement of Sale or Asset Purchase Agreement**
- Bulk Transfer Permit:** Must be submitted directly to the Comptroller's Office.
- Affidavit of Transferor (Affidavit of Commercial Law – Title 6)**
- Proof of Settlement:** Copy of Settlement Statement, Bill of Sale, etc., must be submitted prior to license issuance.

FEES TO BE SUBMITTED WITH THE APPLICATION

- \$850.00 Application Fee:** For Processing & Advertising. Additional fees may be assessed if needed.
- \$20.00 License Change Fee:** Charged to **Transfer Applications only**.
- Annual License Fee:** To be calculated by the Board Office; varies per license issued. Fees are prorated on a quarterly basis depending on date of issuance. Must be paid prior to license issuance.

WHAT HAPPENS NEXT

- Submit the **completed application** with all the **required documents, forms, and fees** to the Harford County Liquor Control Board Office for review.
- Upon completion of the review process, you will receive a *Hearing Date Email*, which includes the following: **(1) date, time, and location of your hearing; (2) a preliminary list of items to be corrected** (which may be updated as the application process continues); and **(3) the deadline** by which all corrections and approvals must be received by the Board Office. **Failure to meet this deadline will result in the postponement of your hearing.** Hearing date letters are sent via email and/or the U.S. Post Office to the Applicant(s) or an attorney representing the Applicant(s).
- A sign will be posted at the to-be-licensed premises and must remain posted for at least 20 days prior to the hearing date. It must be unobstructed and clearly visible to the public.
- Advertising in local newspapers and on the Board's website will occur two (2) weeks prior to the hearing date. Should the hearing be rescheduled for longer than three (3) weeks beyond the initial hearing date, an additional advertising fee of \$150.00 will be required.
- Applicant(s) must contact the **Harford County Health Department (410-877-2318)** and the **Fire Marshal's Office (410-836-4852)** to schedule inspections for the required approvals. **Certificate of Occupancy** permits are obtained from either **Harford County Government or the municipality (Bel Air, Aberdeen, or Havre de Grace)** in which the business is located.
- Live Scan results are forwarded directly to the Harford County Liquor Control Board.
- A holder of any retail alcohol beverage license or an employee designated by the holder shall complete training in an approved **Alcohol Awareness** program. The training shall be valid for a period of four (4) years, and the holder shall complete retraining in an approved program for each successive four-year period. **The Licensee** or a person who is employed in a **supervisory capacity** designated by the Licensee shall be certified by an approved Alcohol Awareness program and **shall be present during all hours in which alcohol may be sold.**

HEARING PROCEDURES

- Hearings are always held on a Wednesday morning beginning at 9:00 a.m. Plan to arrive a few minutes early on your scheduled hearing date. All applicants must appear at the hearing.
 - The five (5) Board Commissioners may ask questions regarding the applicants' experience and plans for the facility.
 - The Board will publicly vote on the issuance of the license. In special circumstances, the Board may continue the hearing to another date and time; this will be communicated at the hearing.
 - If Applicant(s) intend to hold a *soft opening* for training purposes prior to opening to the public, permission must be granted by the Board at the time of the license hearing.
 - Board decisions **ARE NOT EFFECTIVE** until the decision has been advertised in local newspapers and/or on the Board's website. Therefore, approved licenses will not be issued until said advertising takes place (usually the Friday immediately following the hearing).
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PICKING UP YOUR LICENSE

- Before any business shall be licensed or eligible for transfer of an existing license, said business must be in operation and open to the public (see Board Rule 2:22).
- Proof of Settlement (for transfer licenses), proof of Alcohol Awareness training, and a current Worker's Compensation Insurance certificate must be filed prior to license issuance.
- Payment of the annual license fee must be presented at the time of license pickup.
- Any new or transfer license approved by the Board must be paid for and picked up within ten (10) days of the effective date, or same shall be declared null and void as if never issued. For extenuating circumstances (in writing) the Board may grant an extension.
- You must have your license in hand on the premises prior to receiving deliveries from wholesalers. The Board office **WILL NOT** provide the license number prior to license issuance.
- Any additional privileges granted by the Board (outside patio service, wine corkage, etc.) will be indicated by checkmarks in the applicable boxes in the bottom left-hand corner of the license.

Still Have Questions? Contact the Harford County Liquor Control Board!