

RULE NO. 44

CLASS C MUNICIPAL EVENT TO-GO LICENSE AND TEMPORARY TO-GO EVENT PERMITS

PURPOSE: Provide rules and regulations for Class C Municipal To-Go Beer, Wine and Liquor Licenses, and for Temporary To-Go Event Permits for certain Class B and Class D license holders adjacent to a Class C municipal event to provide “to-go alcoholic beverages” pursuant to Sections 33-602, 33-604, 33-803, 33-805, 33-902, 33-904, 33-1105, and 33-1311 of the Alcoholic Beverages and Cannabis Article.

REQUIREMENTS:

1. A Class C Municipal To-Go Beer, Wine and Liquor License is required for a municipality to host a special event where the municipality can hold a temporary beer, wine, and liquor license in a designated special event area.
2. A Temporary To-Go Event Permit is required for a licensed establishment that is directly adjacent to or within the special event area identified in the Class C Municipal To-Go Beer, Wine and Liquor License issued, to temporarily permit alcohol to be carried outside of the licensed establishment and into the designated special event area.
3. A Municipality seeking a Class C Municipal To-Go Beer, Wine and Liquor License shall file an application with the Board of License Commissioners for Worcester County, Maryland (the “Board”) on a form provided by the Board. The procedures for advertisement of the application, conducting hearings and approval of the Class C Municipal To-Go Beer, Wine and Liquor License will be the same as required for issuance of Class A, B, C and D licenses in Worcester County except as set forth below.
4. The current license holder, which is located directly adjacent to or within the designated special event area identified in the Class C Municipal To-Go Beer, Wine and Liquor License issued, seeking a Temporary To-Go Event Permit shall file an application with the Board on a form provided by the Board. The procedures for advertisement of the application, conducting hearings and approval of the Temporary To-Go Event Permit will be the same as required for issuance of Class A, B, C and D licenses in Worcester County except as set forth below.
5. The holder of a Class C Municipal To-Go Beer, Wine and Liquor License shall be responsible to the Board for the operation of the designated special event area and is responsible for violations committed not only by the holder of the license, but also by the licensee’s agents, employees and other persons assisting the licensee in conducting the special event. For purposes of this license, the Mayor, City Manager, or Town Executive shall sign the license application and agree to be summoned to a hearing in front of the Board of License Commissioners to adjudicate any violation of the Alcoholic Beverages and Cannabis Article or this Board’s rules and regulations, and be

held responsible in the event any violation is determined to have occurred by the holder of the license, including any agents or employees thereof.

6. The holder of a Temporary To-Go Event Permit shall be responsible to the Board for the operation of the establishment during the special “to-go alcoholic beverage” event and is responsible for violations committed not only by the holder of the permit, but also by the permit holder’s agents, employees and other persons assisting the permit holder in participating in the special “to-go alcoholic beverage” event.

PROCEDURES:

Class C Municipal To-Go Beer, Wine and Liquor License

1. The Class C Municipal To-Go Beer, Wine and Liquor application shall be on forms supplied by the Board, to be signed by the applicant. The application shall include the following information:
 - a. Type of event/activity;
 - b. Date and time of event/activity;
 - c. Hours for serving alcohol requested;
 - d. Specific details of the event/activity, including whether musical entertainment will be present;
 - e. Professional survey or similar quality site plan which clearly defines the boundaries of the event. The site plan shall contain the following information:
 - i. Details on the physical perimeter of event (i.e., fencing, barriers, etc.);
 - ii. Details of the areas used for dispensing alcohol;
 - iii. Details on the signage to be used to inform public of where alcohol is and is not permitted. Signage must be displayed conspicuously;
 - iv. Details on where security staff will be located to ensure no alcohol is coming into the event area from outside the designated special event area, and that no alcohol is leaving the designated special event area; and
 - v. If musical entertainment is planned, the site plan must include a description of the location or locations where the entertainment stages will be located, how the sound will be amplified, and the hours of the planned entertainment.
 - f. Name and contact information of at least one designated staff member from the municipality that will be present on site during the event;
 - g. Confirmation and proof that the above designated staff member is TIPS or TAM certified;
 - h. Rendering of the wristbands and cups the municipality will be providing at the event (which displays the municipality’s name);

- i. A comprehensive Risk Management plan to ensure safety, compliance, mitigate potential issues and event success. This plan shall include a security plan of how the area will be monitored and internal compliance measures to maintain compliance of event rules and all applicable laws; and
 - j. A list of pre-approved restaurants, hotels, or bars that the municipality believes are eligible to apply for a Temporary To-Go Event Permit for the special event (subject to a hearing and approval by the Board).
2. On first application, the Board shall hold a hearing for the Board to consider the Class C Municipal To-Go Beer, Wine and Liquor application and in its sole discretion, it may approve or deny the license. On any subsequent applications, the Board may hold a hearing for the Board to consider the Class C Municipal To-Go Beer, Wine and Liquor application, and in its sole discretion it may approve or deny the license, or it may approve the license administratively (without a hearing) in its sole discretion. The Board may consider the following health and safety factors before making a decision on the application:
 - a. Proximity of the event to residential zoned property;
 - b. Type of entertainment or event;
 - c. Proposed internal regulatory compliance measures, including control of patrons outside of the designated special event area; and
 - d. Status of approvals by other governmental agencies include the Health Department and Police Department.
3. If necessary, a pre-event meeting will be held with the Inspectors, Administrator and/or the Board to discuss the plans for the event, checking ID's, security measures, general regulations, and the monitoring of the crowd. The holder of the Class C Municipal To-Go Beer, Wine and Liquor License, the person in charge of security, and other persons requested by the Board must be present at the meeting.
4. The Board reserves the right to suspend the application of any part of this Policy when it finds that there is good cause to do so.
5. If, in the Board's discretion, the event is a threat to the health, peace and safety of the neighborhood, the license may be denied, revoked, canceled, or restricted.
6. If the Class C Municipal To-Go Beer, Wine and Liquor applicant is filing its first application, the applicant shall file its application with the Board at least 120 days prior to the scheduled event date. The Class C Municipal To-Go Beer, Wine and Liquor applicant shall file all subsequent applications at least 90 days prior to the scheduled event date.
7. Any violations of the Alcoholic Beverages and Cannabis Article or this Board's rules and regulations shall be adjudicated in the same manner as any other licensee violation.
8. The Comptroller, the Comptroller's duly authorized deputies, inspectors and clerks, the Board of License Commissioners for the aforesaid County, its duly authorized agents and employees, and any peace officer of such county or state, can inspect and search,

without a warrant, the licensed premises, and any and all parts of the building and property in which said business is to be conducted, at any and all hours.

Temporary To-Go Event Permit

1. The Temporary To-Go Event Permit application shall be on forms supplied by the Board, to be signed by the applicant. The application shall include the following information:
 - a. The specific Class C Municipal To-Go Beer, Wine and Liquor License to which the Temporary To-Go Event Permit will be affiliated, including the type, date and time of the event;
 - b. Hours for serving alcohol requested;
 - c. Rendering of the wristbands and cups (which display their business's name) that the applicant will be giving out at the event;
 - d. Name and contact information of at least one designated staff member from the establishment that will be TIPS/TAMS certified and present on site during the event;
 - e. A copy of all TIPS/TAMS certifications of all employees present during the event;
 - f. Professional survey or similar quality site plan which clearly defines the boundaries of the event and the establishments location in reference to the event. A security plan of how the establishment will be monitored and internal compliance measures to maintain compliance with the Temporary To-Go Event Permit.
2. On first application, the Board shall hold a hearing for the Board to consider the Temporary To-Go Event Permit application and in its sole discretion it may approve or deny the Permit. On any subsequent applications, the Board may hold a hearing for the Board to consider the Temporary To-Go Event Permit application, and in its sole discretion it may approve the Permit, or it may approve the Permit administratively (without a hearing) in its sole discretion.
3. If the Temporary To-Go Event Permit applicant is filing its first application, the applicant shall file its application with the Board at least 60 days prior to the scheduled event date. The Temporary To-Go Event Permit applicant shall file all subsequent applications at least 30 days prior to the scheduled event date.

RULES:

1. All persons must be 21 years of age to purchase alcoholic beverages.
2. All sales must stop promptly at the time printed on the license.
3. No intoxicated person may be served any alcoholic beverage.

4. No unnecessary noise or disturbance that could be a nuisance to the community shall occur.
5. The designated TIPS or TAM certified staff member from the Municipality and holder of the Class C Municipal To-Go Beer, Wine and Liquor License must maintain order at all times.
6. **Wristbands and Cups.** These wristband and cup rules provides notice of where the patron purchased the alcohol. Rules regarding wristbands and cups are as follows:
 - a. Every licensee and permit holder (including the holder of the Class C Municipal To-Go Beer, Wine and Liquor License and any holder of a Temporary To-Go Event Permit) shall provide its own wristband and cup, both of which display the licensee or permit holder's name, to patrons purchasing alcohol from the licensee or permit holder;
 - b. The licensee or permit holder shall only serve alcoholic beverages to patrons in cups approved by the Board;
 - c. A licensee or permit holder shall not serve or pour any beverages into cups that were not provided by the licensee or permit holder; and
 - d. A licensee or permit holder shall not rely on a patron's wristband from another licensee or permit holder as proof of age/verified ID. Every licensee and permit holder must independently verify proof of age and provide their wristband and cup to the verified patron.
7. **Consumption of Alcohol Areas.** Rules regarding the consumption of alcohol are as follows:
 - a. A Temporary To-Go Event Permit Holder shall not permit any alcohol purchased from another Temporary To-Go Event Permit Holder or the Municipal To-Go Beer, Wine and Liquor Licensee to be consumed in its establishment.
 - b. Alcohol purchased at a Temporary To-Go Event Permit Holder's establishment may be consumed outside the permit holder's establishment in the Municipal to To-Go Beer, Wine and Liquor licensee's approved designated event area but shall not be brought back into the Temporary To-Go Event Permit Holder's establishment once it leaves the establishment.
8. All persons serving alcoholic beverages at the event shall have been certified by TIPS or TAM.
9. The applicant will, if granted a license or permit, conform to all laws and regulations relating to the business in which the applicant proposed to engage.
10. Applicants shall not have been adjudged guilty of violating the laws governing the sale of alcoholic beverages within the United States or for the prevention of gambling in the State of Maryland or adjudged guilty of any offense against the laws of the State of Maryland or of the United States.

11. The Comptroller, the Comptroller's duly authorized deputies, inspectors and clerks, the Board of License Commissioners for the aforesaid County, its duly authorized agents and employees, and any peace officer of such county or state, can inspect and search, without a warrant, the premises upon which the business is to be conducted, and any and all parts of the building and property in which said business is to be conducted, at any and all hours.