

MINUTES

FEBRUARY 2, 2015

WORK SESSION REGARDING TEMPORARY CLASS C LIQUOR LICENSES

Board Members present:

Greg Fox, Chairperson
Dr. Calvin B. Ball, Vice Chairperson
Mary Kay Sigaty
Jennifer Terrasa
Jon Weinstein

Staff:

Lewis Taylor, Counsel
Margaret Ann Nolan, County Solicitor
Denise King, Administrator

Capt. Sean Alliger
Fire Fighter Craig Matthews
Chief Gary Gardner
Detective Mark Baxter

The Board of License Commissioners, (Liquor Board), had an open meeting to discuss problems and possible solutions surrounding temporary Class C licenses. Chief Gary Gardner, Detective Mark Baxter, Capt. Sean Alliger and Fire Fighter Craig Matthews were asked to attend to provide their input.

The Liquor Board discussed what would be necessary to alleviate problems of abuse by promoter's using non-profit organizations to sponsor events, which has been occurring through the use of the temporary Class C liquor licenses. The Board was also concerned about safety issues related to temporary Class C events and issues related to violations of the liquor law at certain events.

The Liquor Board considered four areas for solutions:

1. What can be done administratively to prevent this abuse from occurring?
2. How can we change our rules and regulations to assist in the prevention of this abuse?
3. Should we support a County based State Bill to assist?
4. Should we support a broader based State Bill to include other jurisdictions to assist?

The Liquor Board expressed concern about making sure they are not being arbitrary and capricious.

The Office of Law identified the sections of Article 2B that apply to temporary Class C licenses and noted that the Liquor Board has broad authority to regulate the issuance of those licenses and adopt reasonable rules to fulfill its obligations under State law. Counsel noted that it was important to identify what exact problems they are trying to solve and that legal changes would be directed by what the Board wanted to do.

Chief Gary Gardiner stated the police department is concerned about public safety. Some of Chief Gardiner's suggestions are:

- Require the non-profit organization submit a security plan – might be based size of event
- Require the application to be submitted more than 10 days prior to the event
- Include more Fire Marshall's input on temporary licenses

Fire Fighter Matthews felt that the Fire Marshall's office should be included in the approval process. He indicated the Fire Code requires someone to be certified as a crowd manager for one day events of a certain size. The Fire Marshall's office offers a class once per month to become a crowd manager. Crowd managers are taught how to manage a crowd in the case of an emergency. They are taught to do a prevention inspection prior to the event, to make sure the doors and exits are not blocked. The Fire Marshall requires at least one crowd manager present during an event that has up to 200 patrons. If there are 250 or more patrons, there need to be two crowd managers.

The Liquor Board agreed it might be important to require a site occupancy posting by the Fire Marshall.

The Liquor Board suggested that it may be necessary to increase fees to cover the costs of the extra inspections and duties to process the temporary Class C licenses.

After hearing from the Police and Fire Departments, the Board voted unanimously to go into closed session to receive legal advice about changes to the temporary Class C license process.