

ALCOHOLIC BEVERAGE LICENSE APPLICATION INFORMATION

APPLICATION

FEES:

Check made payable to the Board of License Commissioners *(may be combined)*

Application Fee \$200.00

Posting Fee \$ 35.00

Check made payable to the Maryland Independent

Legal Notice Publishing \$ 62.00

An annual license fee, or a transfer fee of \$200.00 is due upon issuance of license.

INSTRUCTIONS FOR FILING AN ALCOHOLIC BEVERAGE LICENSE

APPLICATION:

It is strongly recommended that an attorney oversee the application process and represent you at the hearing before the Board of License Commissioners. Your completed application and all attachments, with the exception of the criminal history background reports, **MUST** be filed at least 30-days prior to the scheduled meeting of the Charles County Board of License Commissioners. The Board of License Commissioners meets the second Thursday of each month. The application must be typed, signed and properly notarized, and submitted with all attachments to the Clerk .

Once a completed application is filed, the Clerk will set the matter for hearing before the Board of License Commissioners.

1. The premises for which the application is being made **MUST** be zoned commercial. Furthermore, the premises application with an 'off sale' provision shall not be located within 1,000 feet of a school. For premises with 'on sale only' the premises shall not be located within 500' of the property line of a school accredited by the State Board of Education (although some exceptions do exist for certain premises located in a municipal corporation.)
2. The Board of License Commissioners may not issue any new alcoholic beverage license with an off-sale provision in any election district where the current population exceed limits set forth in the Alcoholic Beverages Article of the Annotated Code of Maryland.
3. The applicants must meet certain residency requirements to hold an alcoholic beverage license in Charles County (i.e., **MUST** be a resident of Charles County for two consecutive years prior to making application.) If the applicants are filing on behalf of a corporation or limited liability company, then at least one of the officers, holding at least a 20% interest, must meet the residency requirements.

4. TRANSFERS: The application MUST show whether or not it is for a transfer of an existing license, and if so, a Consent to Transfer (a notarized statement signed by the current licensee(s)) must accompany the completed application. In addition, a Bulk Sales Transfer Form, available from the Clerk, must be completed and mailed to the Comptroller of the Treasury, at the address indicated on the top of the form.

The Clerk will obtain certification from the County Treasurer and Comptroller indicating that there are tax filings due and/or no unpaid taxes on the merchandise, fixtures and stock of the licensee, withholding tax, amusement tax or sales tax, due to the State, County, or any municipal corporation of the County.

5. The Petition included in the license application must be signed by at least 10 individuals who MUST EACH BE A QUALIFIED PROPERTY OWNER AND REGISTERED VOTER in the same ELECTION DISTRICT where the premises is desired. The aforementioned information will be verified by the Board so be certain that each of the individuals are qualify to sign.
6. The application must include a copy of the certificate issued by the State Comptroller indicating your Maryland Sales Tax Identification Number.
7. The application must include a current credit RATING report for each applicant.
- 8.* Criminal Background Records Check. Electronic fingerprinting services are provided by the Charles County Sheriff at the annex office at St. Charles Towne Center. If needed, an Authorization Number can be provided by the Clerk to the Board of License Commissioners. An electronic report of the findings from CJIS and the FBI will be e-mailed to the Clerk to the Board of License Commissioners.
9. Authorization for Release of Personal Information - form included in application must be submitted for each individual listed as an applicant (*please copy and file for each applicant*)
10. Open Container Affidavit - form included in application must be signed by each individual listed as an applicant.
11. Certification of successful completion of an approved alcohol awareness training program for at least one of the licensee(s).
12. Bulk Transfer Affidavit (Transfer application only) in accordance with the Alcoholic Beverages Article § 4-304 of the Annotated Code of Maryland must be completed by current licensee - form included in application.

13. If the application is for a new building, a drawing of the entire building with dimensions of same shown thereon. Maximum square footage limitations exist for certain types of licensees as set forth in Alcoholic Beverages Article, Annotated Code of Maryland.
14. A signed copy of your lease (must be in the name of the corporate entity if filing on behalf of a corporation/L.L.C.) or Contract of Sale AND Deed.
- 15.* A copy of the Health Permit issued to the applicant under the new trade name.
- 16.* A copy of the Use and Occupancy Permit issued by the Department of Planning and Growth Management.
17. A certificate of compliance with the Maryland Workers' Compensation Act; or the number of a workers' compensation insurance policy or binder.
18. Where the applicants proposed to operate as a corporation, the following requirements must be met:
 - a. If the application is made for a corporation, the license shall be applied for by and issued to 3 of the officers of the corporation, as individuals, for the use of the corporation, at least one of whom shall be a registered voter and taxpayer of Charles County and shall also have resided there at least 2 years before filing the application.
 - b. The applicant(s) shall provide the Board with copies of the current recorded corporate charter or certification of change of officers; bylaws; copies of relevant corporate minutes/resolution authorizing the filing of the application; a stock ledger sheet showing the total amount of stock outstanding, and the amount and class owned by each stockholder, as well as any stock transfers. The application shall state the name, address and phone number of each officer, director of the corporation and of each stockholder.
 - c. All of the individuals applying for the license must have a pecuniary interest in the corporation. "Pecuniary interest" is defined as ownership of at least twenty percent (20%) of the stock in the corporation. This provision does not apply to an applicant who applies for a BLX license.
 - d. Licensees who operate an establishment under the corporate form must report any stock transfers, redemptions, issue or reissue to the Board within 30 days of the occurrence.

19. Similar requirements exist for those applicants who propose to operate as a limited liability company, including the filing of a recorded corporate charter or certification of change in officers (i.e. the application must include a copy of the operating agreement, listing of members and percentage of interest, applicants must be managing members and hold at least 20% interest in LLC, and at least 1 managing member must meet the residency requirements set forth above).
20. That in addition to the application and testimony, and in accordance with the Alcoholic Beverages Article, §4-210, the Board of License Commissioners must consider the public need for the license; the number and location of existing licensees and the potential effect on existing licensees of the license applied for; the potential commonality or uniqueness of the services and products to be offered by the applicant's business; and, the impact on the general health, safety and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience.
21. The application shall be disapproved and the license for which application is made shall be refused if the Board of License commissioners determines that:
 1. The granting of the license is not necessary for the accommodation of the public;
 2. The applicant is not a fit person to receive the license for which application is made;
 3. The applicant has made a material false statement in his application;
 4. The applicant has practiced fraud in connection with the application;
 5. The operation of the business, if the license is granted will unduly disturb the peace of the residents of the neighborhood in which the place of business is to be located; or
 6. There are other reasons, in the discretion of the board, why the license should not be issued.