

ALCOHOLIC BEVERAGE LICENSE APPLICATION INFORMATION

FEES FOR NEW/TRANSFER APPLICATIONS:

Check made payable to the Charles County Board of License Commissioners (“BOLC” or “Board”) (may be combined)

Application Fee	\$200.00
Posting Fee	\$ 35.00

Check made payable to APB Media of Chesapeake LLC

Legal Notice Publishing \$ 72.00

An annual license fee or a transfer fee of \$200 is due upon issuance of license.

INSTRUCTIONS FOR FILING:

It is strongly recommended that an attorney oversees the application process and represents you at the hearing before the BOLC.

Your completed application whether it be for a new license or a transfer of the existing license must be typed, signed and properly notarized, with all attachments (with the exception of the criminal history background report, health permit and use & occupancy permit), and submitted to the Clerk of the BOLC **AT LEAST 45 DAYS PRIOR** to the scheduled meeting of the BOLC. The BOLC meets the second Thursday of each month. The Board has up to 15 business days to review the application, provided that if it is found incomplete, the application will be returned to the applicant along with an explanation of outstanding documents.

Once a completed application is filed and reviewed, the Clerk will set the matter for a hearing before the Board.

The following must be appended to an application for a new license and/or transfer of a license:

1. 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 license is desired. The signed certification indicates that the applicant has been certified by the Charles County Board of Elections that the signors meet the qualifications to sign the petition.

2. Copy of the certificate issued by the State Comptroller's office indicating Maryland Sales Tax Identification Number.
3. Current credit rating report for each applicant.
4. Criminal Background Records Check – electronic fingerprinting services are provided by the Charles County Sheriff at the annex office at the St. Charles Towne Center. If needed, an authorization number can be provided by the Clerk. An electronic report of the findings from CJIS and the FBI will be sent directly to the Clerk.
5. Authorization for Release of Personal Information Form – must be submitted for each individual listed as an applicant.
6. Open Container Affidavit Form – must be signed by each individual listed as an applicant.
7. Certification of successful completion of an approved alcohol awareness training program for at least one of the licensee(s).
8. 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 and Cannabis Article, Annotated Code of Maryland.
9. A signed copy of the lease agreement (must be in the name of the corporate entity if filing on behalf of a corporation/LLC) or Contract of Sale; and Deed for the same premises.
10. A copy of the Health Permit issued to the applicant under the new trade name (this can be provided after approved by the Board).
11. A copy of the Use and Occupancy Permit issued by the Department of Planning and Growth Management (this can be provided after approved by the Board).

12. A certificate of compliance with the Maryland Workers' Compensation Act; or a copy of your workers' compensation insurance policy or binder.
13. Affidavit of posting in accordance with Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland, §18-1504.
14. Certification that the applicant and/or designee has successfully completed the Crowd Manager E-Course training program offered by the State Fire Marshal found at the following link:
<https://mdsp.maryland.gov/firemarshal/Pages/Crowdmanagertraining.aspx>.
15. Signed Forms of Acknowledgement of applicant's Privacy Rights.
16. For corporate entities the documents listed below under "Other Requirements".
17. FOR LICENSE TRANSFER APPLICATIONS: The Bulk Sales Transfer Affidavit must be signed by the existing licensee(s); and a Bulk Sales Transfer Form, must be completed and mailed to the Comptroller of the Treasury at the address indicated on the top of the form.

Other Requirements:

1. When the applicants propose to operate as a corporation, the following requirements must be met:
 - a. 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.
 - 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 and 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.
- 2. 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, a copy of the operating agreement, relevant corporate minutes/resolution authorizing the filing of the application, listing of members and percentage of interest, applicants must be managing members and hold at least 20% interest in the LLC.
 - 3. Applicants must meet certain residency requirements to hold an alcoholic beverage license in Charles County. If the applicant(s) are filing on behalf of a corporate entity (corporation, limited liability company, etc.) then at least one of the officers, holding at least a 20% interest, must be a Charles County resident.
 - 4. If the applicant(s) are filing on behalf of corporate entity (corporation, limited liability company, etc.) the address and percentage of ownership of any and all individuals, entities, partnerships, corporations, limited liability companies, and unincorporated associations, having 5% or more of direct and any percentage of indirect (through subsidiary or parent companies) ownership interest in the business conducted on the licensed premises shall be disclosed to the Board in writing.

5. 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 feet 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.)
6. The Board 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 and Cannabis Article, Annotated Code of Maryland.
7. The Clerk will obtain certification from the County Treasurer, State Department of Assessments and Taxation, and Comptroller indicating that there are tax filings due and/or 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.
8. In addition to the application and testimony, and in accordance with the Alcoholic Beverages and Cannabis Article, Annotated Code of Maryland, § 4-210, the Board 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.

The application shall be disapproved and the license for which application is made shall be refused if the Board determines that:

- a. The granting of the license is not necessary for the accommodation of the public; or
- b. The applicant is not a fit person to receive the license for which the application is made; or

- c. The applicant has made a material false statement in his application; or
- d. The applicant has practiced fraud in connection with the application; or
- e. 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
- f. There are other reasons, in the discretion of the Board, why the license should not be issued.

3/1/25