

**BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
SCHEDULE OF PUBLIC HEARINGS-FEBRUARY 12, 2009**

Please note: If you are interested in a particular case, please call 396-4385 the day before these hearings to verify that a particular case is still scheduled for this date and time.

1:00 p.m. cases

Terry Lee Coffman & Olga V. Coffman, 110 Water Street Series274, LLC T/a Vellegia's Italian Seafood Restaurant at the Inner Harbor, 110 Water Street – Class “B” Beer, Wine & Liquor Restaurant license - Application for a new Class “B” Beer, Wine & Liquor License under the provisions of Article 2B §6-201(d)(1)(v), (vii) & (viii) requiring capital investment of \$500,000 in restaurant facilities, seating capacity for a minimum of 75 persons and food sales that are at least 51% of total daily receipts with no off-sale alcoholic beverages privilege; application includes a request for live entertainment and outdoor table service

DECISION:

Martin A. Emmer & Linda Ann Emmer & Joshua Emmer, Freda's Kitchen LLC T/a Freda's Kitchen, 1604 Kelly Avenue – Class “B” Beer, Wine & Liquor License – Application for a new Class “B” Beer, Wine & Liquor License under the provisions of Rule 2.08 requiring \$200,000 in capital investment in restaurant fixtures and facilities and seating capacity for a minimum of 75 persons; application includes request for outdoor table service and off premises catering

DECISION:

Christoualantis Minadakis, Jimmy's Seafood, Inc. T/a Jimmy's Seafood Restaurant, 6526 Holabird Avenue – Class “B” Beer, Wine & Liquor License - **Violation of Rule 4.05(a)** “No licensee shall permit any person to consume alcoholic beverages on the licensed premises during hours when such sales are prohibited by law” and **Rule 4.05(b)** “No alcoholic beverages shall be served, dispensed, furnished or given away in any part of the premises during the hours when such sales are prohibited by law” on November 29, 2008 (Re: Police observed over sixty patrons on premises standing, dancing and drinking alcoholic beverages at 2:30 a.m.); **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on November 29, 2008 (Re: Patron assaulted a Police Officer and a Police Officer Trainee during investigation of after hours operation); **Violation of Rule 3.02** “Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business” on November 29, 2008 (Re: Licensee and manager identified themselves as Frank Sinatra and President Bush and refused to provide their actual names to police; licensee threw glasses against wall and swept bottles off bar and bar back area); **Violation of Article 2B Section 11-304(d)(2)&(3)(i)** “In Baltimore City, a licensed premises shall cease all operations, including the serving of alcoholic beverages or food and providing entertainment, at the closing hour for that class of licensed premises specified in this article. (3) Notwithstanding paragraph (2) of this subsection, the Board of Liquor License Commissioners may grant an exemption for remaining open after hours to: (i) A holder of a Class B restaurant license, only for serving food to patrons seated for dining” on November 29, 2008 (Re: Patrons were on licensed premises at 2:30 a.m. consuming alcohol and dancing)

DECISION:

3:00 p.m. cases

Donna L. Fizer, Cocky Lou's, Inc. T/a Cocky Lou's Bar, 2101-03 E. North Avenue – Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on November 13, 2008 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet); **Violation of Rule 5.03** "For purposes of this Rule, the Board considers all Class BD7 licenses as tavern operations. A tavern is defined as an establishment where alcoholic beverages are habitually sold for on-premises consumption. Such alcoholic beverages must be served at a bar or in a lounge area....(b) ...The bar/lounge area must be operative for business at all times the premises is open to the public" on November 13, 2008 (Re: Bar not in operation; top of bar covered with stock, seating area filled with boxes, trash and a five gallon bucket of handgun shell casings); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader's License as requested in letter to all licensees); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the

respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2008 to date (Re: Licensee has failed to provide proof of payment of 2007-2008 Personal Property Tax bill);

DECISION:

Kwang Woon Cho & Gyeong M. Cho, Kwang Woon Cho, Inc. T/a June’s Grocery & Liquor, 2607 Greenmount Avenue – Class “A” Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on October 9, 2008 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet); **Violation of Rule 3.02** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader’s License as requested in letter to all licensees)

DECISION:

James Micklos, Club Malibu, LLC T/a Lava Lounge, 1301 S. Ponca Street – Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 14, 2008 (Re: Alcohol sold to 20 year old male patron); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 14, 2008 (Re: Alcohol sold to 20 year old female patron); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 14, 2008 (Re: Alcohol sold to 19 year old female patron); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 14, 2008 (Re: Alcohol sold to 19 year old female); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 14, 2008 (Re: Alcohol sold to a 19 year old female); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 14, 2008 (Re: Alcohol sold to a 18 year old female); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” and/or **Violation of Article 2B, Section 12-108(d)** “No licensee, proprietor, or operator of any establishment dispensing alcoholic beverages shall permit the consumption or possession of any alcoholic beverages by a person under the age of twenty-one years upon said premises no matter by whom such alcoholic beverages shall have been purchased or from whom obtained...” on December 14, 2008 (Re: Seventeen year old female observed in possession of alcohol); **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on March 15, 2008 (Re: Man assaulted on parking lot); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on September 11, 2008, December 14, 2008 and on January 9, 2009 (Re: Licensee was unable to produce employee records); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City” on September 11, 2008 (Re: Wires for speakers ran across floor and there were other wires running along the top of a seat; beer cooler was found to contain dirty water with beer laying below the surface of the dirty water); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on September 11, 2008 (Re: No minor privilege permit available for four foot sign on sidewalk outside establishment) and on

September 11, 2008 and on January 9, 2009 (Re: No amusement license for pool table or video game); **Violation of Article 2B, Section 10-505** “Every person receiving a license under the provisions of this article shall frame his license under glass and place the same so that it shall at all times be conspicuous and easily read in his place of business...” on September 11, 2008 (Re: License not displayed as required by law); **Violation of Restriction on license**, namely “No one under 21 years of age permitted on premises from 9 pm-2 am” on December 14, 2008 (Re: Seven minors on the premises at 1:41 am. and no one at the door carding people entering the establishment), on April 27, 2008 (Re: Seventeen year old male sitting within hand reach of several open beer bottles) and on January 9, 2009 (Re: Three females under the age of 21 on the licensed premises at 10:10 p.m.); **Violation of Rule 4.12** “No licensee shall make any false statement in any application, letter or written or oral statement to the Board or to any of its representatives” on January 9, 2009 (Re: Licensee said that he had no employees as manager was observed behind bar)

DECISION: