

**BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
PUBLIC HEARINGS-MARCH 5, 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

Helen Metaferta & Harold N. Edwards, Jr., H.H. D. Entertainment, LLC T/a Eden's Lounge, 13-15 W. Eager Street – Class “B” Beer, Wine & Liquor License - **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 January 2, 2009 to date (Re: Charter for limited liability company, H.H.D. Entertainment is forfeited) and 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:

Kelly Holman, K Too, LLC T/a Kelly's, 2106-08 Eastern Avenue -Class BD7 Beer, Wine & Liquor License – **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 January 19, 2009 to date (Re: Charter for limited liability company is forfeited) and 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:

Trang Nguyen & Robert Merrill, Hong Phat, Inc. T/a Saigon Remembered, 5857 York Road – Class “B” Beer, Wine & Liquor license – **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 January 7, 2009 to date (Re: Corporate charter forfeited)

DECISION:

Lonnie Fisher, 407 Saratoga, Inc. T/a Sonar, 407 E. Saratoga Street – Class BD7 Beer, Wine & Liquor License – **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 December 17, 2008 to date (Re: Corporate charter forfeited) and 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:

Jose D. Hunter, NXE, Inc. T/a Gypsies, 4020 E. Lombard Street – Class BD7 Beer, Wine & Liquor License - **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 December 16, 2008 to date (Re: Corporate charter forfeited)

DECISION:

Steven A. Guerio & Amit Bharat, Ava-1, Inc. T/a One, 300 E. Saratoga Street – Class BD7 Beer, Wine & Liquor License - **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 January 2, 2009 to date (Re: Corporate charter forfeited) and 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:

Dwayne Hiltner, Jerry Waddell & Samuel J. Curreri, Sam’s Italian Restaurant, LLC T/a Sammy’s Trattoria, 1200 N. Charles Street – Class “B” Beer, Wine & Liquor License - **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 January 2, 2009 to date (Re: Charter for limited liability company, Sam’s Italian Restaurant, LLC is forfeited) and 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:

3 p.m. cases

Harold B. Wheeler, John Voneiff, II & William Van Buren Wheeler, Bando LL, LLC, No trade name given, 2 N. Charles Street – Class “B” Beer, Wine & Liquor Hotel License – Application for a new hotel license under the provisions of Article 2B §6-201(d)(2)(iv) requiring no less than 100 rooms, a dining room for preparing and serving regular meals for at least 125 persons and capital investment not less than \$500,000

DECISION:

Yuki Emori & John Morrison, The Queen, LLC T/a Sam’s Kid, 811 S. Broadway –Class “B” Beer, Wine & Liquor 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 outdoor table service and off premises catering

DECISION:

Andrea Huff & Scott Brooks, 410, Inc. T/a Club 410, 4507-09 Belair Road – 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 January 9, 2009 (Re: Alcohol sold to 20 year old BCPD cadet); **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 January 25, 2009 (Re: Alcohol sold to 20 year old male patron); **Violation of Rule 4.02** “No licensee shall sell or furnish alcoholic beverages to any person under the influence of alcohol or narcotic drugs or who is disorderly in manner or to any person known to be a habitual drunkard or user of narcotic drugs” on January 11, 2009 (Re: Two patrons appeared to be intoxicated) and on January 25, 2009 (Re: Police witnessed intoxicated patron leave establishment and stumble across the street to his vehicle); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases

of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on January 9, 2009 and on January 11, 2009 (Re: Licensee unable to produce purchase records); **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 January 9, 2009 and on January 11, 2009 (Re: Licensee unable to produce employee records); **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 January 9, 2009 (Re: Licensee and employee were verbally combative and uncooperative); **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 January 9, 2009 and on January 11, 2009 (Re: Coolers holding alcohol were filthy, wet, moldy and no proper washing stations were set up for washing glassware) and on February 5, 2009 (Re: Establishment was over posted capacity) ; **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 January 9, 2009 (Re: Licensee allowing patrons to dance without permission from the Board) and on January 11, 2008 (Re: Police observed DJ speaking and patrons dancing when licensee does not have permission for live entertainment); **Violation of Article 2B §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 December 26, 2008, on January 9, 2009 and on January 11, 2009 (Re: Current license was not displayed as required by law); **Violation of Rule 4.16** “No licensee shall allow his premises to be used for the purpose of possession, transfer or use of any narcotic drug” on January 11, 2009 (Re: During investigation, police found three pink ziplock bags with plant substance, suspected marijuana); **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 August 26, 2008 (Re: Patrons involved in dispute inside establishment, one patron left on a motorcycle and was chased and struck by another person in a truck), on December 6, 2008 (Re: Man shot just as he left establishment), on December 12, 2008 (Re: Patron shot as she left establishment) on January 11, 2009 (Re: Two patrons refused to cooperate with lawful order from police officer and were verbally combative) and on January 25, 2009 (Re: Police responded for fight outside club) and on January 27, 2009 (Re: Bloodied patron forced outside club by bouncers)

DECISION: