

October 1, 2014

County Service Building  
Hyattsville, Maryland 20781

THE BOARD OF LICENSE COMMISSIONERS MET IN ADMINISTRATIVE VOTING SESSION:

PRESENT: Franklin D. Jackson, Chair  
Shaihi Mwalimu, Vice Chair  
Earl Howard, Commissioner  
Charles Caldwell, III, Commissioner  
Edmond B. O'Connell, Counsel  
Diane M. Bryant, Administrative Assistant  
Kelly E. Markomanolakis, Administrative Assistant  
Albert J. Fanelli, Chief  
Cristian Mendoza, Deputy Chief

Time: 7:00 p.m.

In the matter of **t/a Angel's Carryout**, the Commissioners reviewed a letter dated September 26, 2014, request to expand the premises. Mr. Jackson stated that this cannot be acted upon because there is a pending show cause that was presented to the Board during the Administrative Voting Session of September 23, 2014; that as soon as the show cause is heard their request for alteration will be scheduled for consideration before the Board.

In the matter of **t/a Iron Castle**, the Commissioners reviewed a letter dated September 24, 2014, requesting a reconsideration. The Board took notice that the alcoholic beverage license was officially expired on August 13, 2014 after many years of closure. There was no motion made to re-instate the alcoholic beverage license.

In the matter of **t/a Gee's**, the Commissioners reviewed a Sunday Sales Affidavit for the sale of food versus alcoholic beverages. Mr. Caldwell moved to approve a permanent Sunday Sales Permit, seconded by Mr. Howard and made unanimous by Mr. Mwalimu and Mr. Jackson.

In the matter of **t/a Swahili Village Bar and Restaurant**, the Commissioners Reviewed a letter dated August 29, 2014. Mr. Caldwell moved approval to the withdrawal of the new Class B, BLX, Beer, Wine and Liquor license. Motion was seconded by Mr. Howard and made unanimous by Mr. Mwalimu and Mr. Jackson. The Commissioners took notice that the licensee will be filing a transfer of location for their existing Class B, Beer, Wine and Liquor license from its current location to 10800 Rhode Island Avenue, Bay N & O, Beltsville, Maryland 20705.

In the matter of **t/a T.J.'s Restaurant**, the Commissioners reviewed a letter dated September 15, 2014, requesting permission to remove the Vice President of the corporation. Mr. Caldwell moved approval to remove Kimberly Zink as Assistant Secretary of the corporation:

**Timothy A. Murray, President/Treasurer 100% jointly**  
**Karen M. Murray, Secretary 100% jointly**

Motion was seconded by Mr. Howard and made unanimous by Mr. Mwalimu and Mr. Jackson.

In the matter of establishments that accepted the Board's offer and compromise regarding a violation, the following list was reviewed and the Commissioners took notice:

**t/a Sakura Japanese Steakhouse and Seafood House (Laurel)**  
**t/a Old Line Fine Wine**  
**t/a The Olive Garden Restaurant (Hyattsville)**  
**t/a Kitchen #1**

**In the matter of proposed Rule and Regulation #80**, the Commissioners reviewed and took notice of the following:

**R.R. NO.80 – REFILLABLE CONTAINERS PERMIT (GROWLER)**

This rule establishes a Refillable Containers Permit (Growlers). This permit authorizes the holder to provide for sale draft beer or wine respectively in an approved refillable container to be consumed off the licensed premises. In order to apply for a Refillable Container Permit, a licensee shall file an application with the Board of License Commissioners. The term of the refillable container permit and the hours are the same as that of the underlying alcoholic beverage license.

Licensed premises holding an off sale privilege may, at the discretion of the Board, be issued a license administratively upon payment of the Growler Permit Fee. Licensed premises without an off sale privilege are subject to a public hearing. An applicant shall file the application with the advertisement fee of \$250. Upon receipt of the application the Board will schedule a Public Hearing.

The annual fee for the permit is \$500. The fee shall not be pro-rated in the event its issuance is for less than a license year. The application for the refillable container permit will be accepted annually with the renewal of the alcoholic beverage license.

Draft beer or wine shall be offered for sale in an approved container that meets the standards under Maryland Code, Article 2B, Section 21-107. The container for beer

must be not less than 32 ounces and not more than 128 ounces. The container for wine must be not less than 17 ounces and not more than 34 ounces.

The container shall:

- a. Be re-sealable;
- b. Include an identifying mark of the seller on the container;
- c. Contain the Federal Health Warning statement required for alcoholic beverages;

GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects.

(2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.

- d. Display instruction for cleaning the container; indicating that the purchaser is responsible to clean the container;
- e. Note that the contents are perishable; should be refrigerated and consumed within 48 hours of purchase

The hours of sale shall begin at the same time as the hours permitted by the current alcoholic beverage license with sales ending no later than midnight.

Mr. Jackson stated that a Public Hearing concerning the proposed revision will be held on November 5, 2014, 7:00 p.m. So noted by the other Commissioners.

Respectfully Submitted,

Diane M. Bryant  
Administrative Assistant

Adjourned: 9:45 p.m.