

**COUNTY COUNCIL**  
**OF**  
**TALBOT COUNTY, MARYLAND**

2010 Legislative Session, Legislative Day No. : July 13, 2010

Bill No.: 1185

Expiration Date: September 16, 2010

Introduced by: Mr. Bartlett, Mr. Foster, Mr. Pack

**A BILL TO ESTABLISH ALCOHOL AWARENESS TRAINING REQUIREMENTS FOR ALCOHOLIC BEVERAGE LICENSEES, TO REQUIRE THAT WHENEVER MORE THAN THREE (3) EMPLOYEES ARE ON DUTY, AT LEAST ONE SUCH EMPLOYEE SHALL BE CERTIFIED BY AN ALCOHOL AWARENESS PROGRAM APPROVED PURSUANT TO ARTICLE 2B, § 13-101, MD. ANN. CODE, TO PROVIDE THAT THIS SECTION SHALL NOT CREATE OR ENLARGE ANY CIVIL OR CRIMINAL PROCEEDING AGAINST A LICENSEE**

By the Council: July 13, 2010

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, August 10, 2010 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order \_\_\_\_\_  
Susan W. Moran, Secretary

**A BILL TO ESTABLISH ALCOHOL AWARENESS TRAINING REQUIREMENTS FOR ALCOHOLIC BEVERAGE LICENSEES, TO REQUIRE THAT WHENEVER MORE THAN THREE (3) EMPLOYEES ARE ON DUTY, AT LEAST ONE SUCH EMPLOYEE SHALL BE CERTIFIED BY AN ALCOHOL AWARENESS PROGRAM APPROVED PURSUANT TO ARTICLE 2B, § 13-101, MD. ANN. CODE, TO PROVIDE THAT THIS SECTION SHALL NOT CREATE OR ENLARGE ANY CIVIL OR CRIMINAL PROCEEDING AGAINST A LICENSEE**

<b>KEY</b>	
<b>Boldface</b> .....	Heading or defined term.
<u>Underlining</u> .....	Added to existing law by original bill.
<del>Strikethrough</del> .....	Deleted from existing law by original bill.
<u>Double underlining</u> .....	Added to bill by amendment.
<del>Double strikethrough</del> .....	Deleted from bill by amendment.
* * *	.....Existing law unaffected.

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that Chapter 11 of the Talbot County Code entitled “Alcoholic Beverages” shall be and is hereby amended by adding Subsection F. as set forth herein.

**§ 11-13 Restrictions upon License Holders**

\* \* \*

- 1 F. Alcohol Awareness Training. When there are more than three (3) employees on duty on the
- 2 premises, at least one (1) such employee shall be certified by an Approved Alcohol Awareness
- 3 Program and shall be present on the premises at all times during the hours in which alcohol may
- 4 be sold. For purposes of determining whether there are more than three (3) employees, all
- 5 managers, owners, and all on-duty employees on the premises shall be counted regardless of the
- 6 employment capacity in which they serve and regardless of how many employees are involved in
- 7 the sale of alcohol.
- 8
- 9 (1) For purposes of this section, “Approved Alcohol Awareness Program,” has the meaning
- 10 and is subject to the requirements and time limitations set forth in Article 2B § 13-101,
- 11 Md. Ann. Code, as amended from time to time.
- 12 (2) Nothing in this section relieves the licensee from compliance with any other applicable
- 13 State requirements regarding alcohol awareness training.

14 (3) This section may not be construed to create or enlarge any civil cause of action or  
15 criminal proceeding against a licensee.

16 (4) Penalties. The Board shall impose the following penalties on any licensee who violates  
17 this section within any seven (7) year period:

18 (a) 1st offense, \$50.00 fine;

19 (b) 2nd offense, \$200.00 to \$500.00 fine;

20 (c) 3rd offense, 2-5 day suspension; and,

21 (d) 4th or subsequent offense, 10-30 day suspension.

\* \* \*

SECTION TWO: BE IT FURTHER ENACTED, that this ordinance shall take effect sixty (60) days from the date of its passage.

SECTION THREE: AND BE IT FURTHER ENACTED, That if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

**PUBLIC HEARING**

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. \_\_\_\_\_ having been published, a public hearing was held on \_\_\_\_\_.

**BY THE COUNCIL**

Read the third time.

ENACTED \_\_\_\_\_

By Order \_\_\_\_\_  
Susan W. Moran, Secretary

Harrison -

Foster -

Pack -

Duncan -

Bartlett -