

## Article - Alcoholic Beverages

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§15–103.

- (a) (1) There is a Board of License Commissioners in Frederick County.
- (2) The Board consists of 3 members.
- (3) The Governor shall appoint the members of the Board.
- (4) To qualify for appointment to the Board, a person:
  - (i) Shall be of good moral character and integrity;
  - (ii) Shall reasonably reflect the citizenry of the county; and
  - (iii) Shall be a registered voter of the county and shall continue to be a registered voter of the county during the person's term of office.
- (5) The term of a member is 5 years.
- (6) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 1989.
- (7) A member who is appointed after a term has begun serves only until a successor is appointed and qualifies.
- (8) The Governor may remove a member for incompetence, misconduct, neglect of a duty required by law, unprofessional conduct, or dishonorable conduct.
- (9) The removal procedure is as provided in this article.
- (b) From among its members, the Board shall elect a chairperson.
- (c) (1) A majority of the members then serving on the Board is a quorum.
- (2) The Board shall meet at least once a month.
- (3) The chairperson of the Board shall receive an annual compensation of \$7,000 and be reimbursed for reasonable expenses.
- (4) The members shall receive an annual compensation of \$6,500 and be reimbursed for reasonable expenses.
- (d) (1) The Board may appoint:
  - (i) One chief alcoholic beverages inspector; and

(ii) Not more than:

1. One full-time alcoholic beverages inspector in addition to the chief alcoholic beverages inspector; or

2. Two part-time alcoholic beverages inspectors.

(2) To qualify for appointment as an alcoholic beverages inspector of any type, a person shall:

(i) Be of high moral character; and

(ii) Possess a sound reputation for sobriety, honesty, and integrity.

(3) An alcoholic beverages inspector of any type shall:

(i) Possess the power of a peace officer of the State with respect to the enforcement of the alcoholic beverages laws of Frederick County;

(ii) Make monthly reports in writing to the Board covering the activities and setting forth any complaints or violations that may have been observed or reported;

(iii) Assist the Board in enforcing the alcoholic beverages laws; and

(iv) Have any other duties that the Board may require.

(4) In addition to the duties listed in paragraph (3) of this subsection, the chief alcoholic beverages inspector shall determine the hours and assignments of all alcoholic beverages inspectors.

(5) An alcoholic beverages inspector of any type shall:

(i) Receive the compensation set by the governing body of the County and provided for in the county budget;

(ii) Be reimbursed for reasonable expenses; and

(iii) Receive reimbursement for mileage at the standard rate set by the governing body of the County.

(6) Reimbursement for mileage does not include travel to and from the inspector's home and office.

(e) The chairperson of the Board, with the approval of the governing body of the County, may employ the clerical assistants necessary to carry out the duties of the Board and the salary of the clerical assistants shall be set by the governing body of the County and provided for in the county budget.

(f) (1) (i) A Commissioner, the chief alcoholic beverages inspector, a full-time alcoholic beverages inspector, a part-time alcoholic beverages inspector, or an employee of the Board may not:

1. Have any interest, directly or indirectly, either proprietary or by means of any loan, mortgage, or lien, or in any other manner, in or to any premises where alcoholic beverages are manufactured or sold;

2. Have any interest, directly or indirectly, in any business wholly or partially devoted to the manufacture or sale of alcoholic beverages; or

3. Own any stock in any corporation which has any interest, proprietary or otherwise, directly or indirectly, in any premises where alcoholic beverages are manufactured or sold or in any business wholly or partially devoted to the manufacture or sale of alcoholic beverages, or hold any other public office or employment.

(ii) A Commissioner, the chief alcoholic beverages inspector, a full-time alcoholic beverages inspector, a part-time alcoholic beverages inspector, or an employee of the Board may not solicit or receive, directly or indirectly, any commission, remuneration, or gift whatsoever from any person or corporation engaged in the manufacture or sale of beer or other alcoholic beverages, from any licensee, licensed under the provisions of this article.

(iii) A person or corporation engaged in the manufacture or sale of beer or other alcoholic beverages, any agent or employee of that person or corporation, and any licensee licensed under the provisions of this article may not, directly or indirectly, offer to pay any commission, profit, or remuneration or make any gift to any Commissioner, the chief alcoholic beverages inspector, a full-time alcoholic beverages inspector, a part-time alcoholic beverages inspector, or an employee of the Board.

(2) Violations of this subsection are a misdemeanor punishable by a fine of not more than \$1,000.

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