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December 3, 2015

Board of Liquor License Commissioners for Baltimore City
231 E. Baltimore Street, 6th Floor
Baltimore MD 21202

RE: Public Comments to Proposed Changes to the Rules and Regulations for the Board of Liquor License Commissioners ("BLLC") for Baltimore City

Dear Commissioners and Staff of the BLLC for Baltimore City:

Below please find my comments to the proposed changes to the Rules and Regulations for the BLLC for Baltimore City. Many of my suggestions serve to ensure that the rights of community members protesting or opposing a license are equivalent to the rights of the licensee.

1. **Rule 2.06(b)(vii)** [Page 21]. A sentence should be added at the end to state something to the effect of the following: "The witnesses who testify in support of the allegations will have an opportunity to cross examine and challenge any of the witnesses and testimony presented by the licensee." This will ensure that a community member or group challenging or protesting the license has the same right to cross-examine witnesses and challenge evidence as the licensee.
2. **Rule 2.07** [Page 21]. This paragraph should be struck in its entirety. Although evidence produced at the hearing for the first time can understandably make the job of the BLLC more difficult, it is important for the BLLC to consider all relevant evidence, regardless of the date of submission or the presence of the creator. If the evidence is not presented by the individual who drafted or created the item, then the BLLC should give it the weight that it believes the evidence deserves. I do not believe that it should be more difficult to admit evidence in a BLLC hearing than it is to admit evidence in a trial in the District Court of Maryland, in which there is no deadline for submission of evidence.
3. **Rule 2.11(a) and Rule 2.12(a)** [Page 23]: These rules should be revised to state that both a licensee and the individuals protesting or opposing the license may file a request for reconsideration or a petition for judicial review. As it stands now, only the licensee has such a right. It is patently unfair for a licensee to have the ability to request reconsideration or judicial review of a decision of the BLLC but for the community members who opposed the license to entirely lack that procedural right. This would be akin to a defendant in a civil case having the right to appeal a judgment with which it believed was legally incorrect but the plaintiff having no such right.
4. **Rule 2.11** [Page 23]: A subsection should be added stating that, unless the request is to be denied based on the documents, a hearing must be scheduled related to a request for reconsideration with the standard notification and procedural rules. This will ensure witnesses may be present to observe or oppose the request.

Thank you for your consideration of my comments.

Sincerely,



Christopher J. Madaio