Town of Frederick
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AM 2010-023

TO CONSIDER RENEWAL OF D'AGOSTINO'S MUGG-N-PYE HOTEL/RESTAURANT LIQUOR LICENSE

I. Agenda Date: Town Board Meeting – March 9, 2010

II. Attachments:
a. Hotel and Restaurant Liquor License Renewal Application
b. Report and Recommendation from Frederick Police Department
c. Memorandum from Kristin N. Brown, Town Prosecutor

III. Fiscal Note: None noted.

Finance Director

IV. Submitted by:

Town Clerk

V. Approved for Presentation:

Town Administrator

VI. Certification of Board Approval:

Town Clerk Date

VII. Summary Statement:

The Hotel Restaurant Liquor License for D'Agostino's Mugg-N-Pye expires on February 28, 2010. The renewal application was submitted by the applicant and is ready for consideration by the Town Board, acting in capacity as the Local Liquor Licensing Authority.

VIII. Detail of Issue/Request:

Ninety days prior to the expiration of an existing license the state licensing authority notifies the licensee of such expiration date. Application for the renewal of an existing license must be submitted to the local licensing authority at least 45 days prior to the expiration date of the current license. The Town Clerk requests a premise inspection, records check and recommendation from the Police Department. The application is then presented to the Board, acting as the local licensing authority, for approval or denial. The approved application is then submitted to the state licensing authority for consideration.

The application to renew this Hotel and Restaurant Liquor License was filed with the Town Clerk's Office on February 2, 2010. The current liquor license is scheduled to expire on February 28, 2009.

IX. Legal/Political Considerations:

The local licensing authority may cause a hearing to be held on the application for renewal. The licensing authority may refuse to renew any license for good cause, subject to judicial review.

X. Alternatives/Options:

Order a hearing to be held on the application for renewal, deny the renewal or approve the renewal.

XI. Financial Considerations:

Applicant has submitted the proper state and local fees.

XII. Staff Recommendation:

Kristin N. Brown will be present at the Town Board Meeting to advise the Local Liquor Licensing Authority on this application for renewal. Staff recommends that the Board make determination based on the information provided at that time.