

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **MUNICIPAL ORDINANCE - MARYLAND**

### **Board of Liquor License Commissioners for Baltimore City v. Kougl**

**Court of Appeals of Maryland - February 17, 2017 - A.3d - 2017 WL 660604**

Liquor licensee filed for judicial review of decision of local liquor board finding that he violated rules relating to solicitation of prostitution and indecent exposure, and suspending his license for one month.

The Circuit Court affirmed. Licensee appealed, and the Court of Special Appeals reversed and remanded. Liquor board sought further review, which was granted.

The Court of Appeals held that local liquor board rules governing sexual conduct and prohibiting illegal conduct on licensed premises imposed strict liability on licensee for offending conduct that occurred on his premises.

Local liquor board rules governing sexual conduct and prohibiting illegal conduct on licensed premises imposed strict liability on licensee for offending conduct that occurred on his premises, despite requirement that licensee “suffer,” “permit,” or “allow” such violations; a licensee could “allow” prohibited conduct without knowledge that it was occurring, and could unknowingly “permit” conduct prohibited by the rules, and “suffer” did not impose a knowledge requirement.