COUNTY LOCAL LAWS

RESTRICTIONS UPON LICENSEES

SECTION 35. Sales to Minors and Intoxicated Persons Prohibited

No licensee under the provisions of this act or any of his employees shall sell or furnish any alcoholic beverages at any time to a minor under twenty—one (21) years of age except that the age shall be eighteen (18) years of age for beer and light wine. No licensee under the provisions of this article shall sell or furnish any alcoholic beverages to any person who at the time of such sale or delivery is visibly under the influence of any alcoholic beverage. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than one thousand dollars ($1,000.00) or to imprisonment for not more than two years or both fine and imprisonment. Provided, however, that any person charged with selling or furnishing any alcoholic beverages to a minor under twenty—one (21) years of age, except for beer and light wine where the age shall be eighteen (18) years, shall not be found guilty of a violation of this section if such person establishes to the satisfaction of the jury, or the court sitting as a jury, that he used due caution to establish that such minor under twenty—one (21) or eighteen (18) years of age was not in fact a minor. If any person shall be found not guilty or placed on probation without a verdict of any alleged violation of this section such finding shall operate as a complete bar to any proceeding by any alcoholic beverage law enforcement of licensing authority on account of such alleged violation.

APPEALS

SECTION 36.

(a) General Provisions — Appeals from decisions of the Board of Liquor License Commissioners for Talbot County shall be made in accordance with Article V of the charter for Talbot County and the Rules of Practice and Procedure adopted in accordance with Section 503 thereof.

SECTION 37.

And be it further enacted, That this Act shall take effect sixty (60) days following its enactment.

Approved October 8, 1974