

November 29, 2006

By Electronic and Interoffice Mail

Re: IO-06-88

You inquired whether you may apply for and hold a liquor license in Baltimore City in order to own and operate a restaurant and bar. You are a civilian employee of the county, serving as the training director at the detention center. The ethics commission advises that the ethics law does not prohibit you from applying for or holding a liquor license, or from having an ownership interest or employment relationship in a restaurant where liquor is served.

As a civilian employee, you have no police powers. As a restaurant owner and the holder of a liquor license, you would have no duty or authority to act in a law enforcement capacity. The business will be located outside of the county. It will not be subject to regulation by any county agency, and it is unlikely to have any contracts or otherwise do business with the county.

This opinion does not address any issues that may arise due to the existence of your department's own regulations, policies, or procedures. Under the ethics law, §7-1-104, you are subject to any such departmental rules, to the extent they may be more stringent than the ethics laws. For this reason, you should also consult your supervisor about your proposed secondary employment. However, there is nothing in the ethics law that would prohibit your proposed activity.

Thank you for your inquiry. Please contact me if you have additional questions.

Anne Arundel County Ethics Commission

By: _____
Betsy K. Dawson, Executive Director