
By: Montgomery County Delegation

Introduced and read first time: January 31, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages**
3 **(Multiple Licenses - Gaithersburg and Germantown)**
4 **MC 724-97**

5 FOR the purpose of including certain areas of Montgomery County among those where
6 multiple Class B beer, wine and liquor licenses may be issued; defining those
7 additional areas; and generally relating to alcoholic beverages in Montgomery
8 County.

9 BY adding to

10 Article 2B - Alcoholic Beverages
11 Section 9-102.1(h) and (i)
12 Annotated Code of Maryland
13 (1996 Replacement Volume)
14 (As enacted by Chapter _____ (S.B._____/H.B._____) (7lr0290) of the Acts of the
15 General Assembly of 1997)

16 BY repealing and reenacting, with amendments,

17 Article 2B - Alcoholic Beverages
18 Section 9-102.1(h)
19 Annotated Code of Maryland
20 (1996 Replacement Volume)
21 (As enacted by Chapter _____ (S.B._____/H.B._____) (7lr0290) of the Acts of the
22 General Assembly of 1997)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article 2B - Alcoholic Beverages**

26 9-102.1.

27 (H) (1) A LICENSEE MAY OBTAIN ONE ADDITIONAL LICENSE FOR PREMISES
28 WHICH MEET THE QUALIFICATIONS SPECIFIED IN THIS SUBSECTION. FOR
29 IDENTIFICATION PURPOSES, THE ADDITIONAL LICENSE MAY BE REFERRED TO AS A
30 "GAITHERSBURG" LICENSE.

2

1 (2) AN APPLICANT FOR THIS ADDITIONAL LICENSE SHALL:

2 (I) OPERATE A RESTAURANT, AS DEFINED BY THE BOARD,
3 WITHIN THE MUNICIPAL CORPORATION OF GAITHERSBURG;

4 (II) HAVE A CAPITAL INVESTMENT OF AT LEAST \$250,000 FOR
5 RESTAURANT FACILITIES, EXCLUDING THE COST OF LAND AND BUILDINGS; AND

6 (III) HAVE A SEATING CAPACITY OF AT LEAST 125 PERSONS.

7 (3) THE REQUIREMENT THAT THE HOLDER HAVE BEEN A LICENSEE
8 FOR 3 YEARS DOES NOT APPLY TO THIS SUBSECTION.

9 (I) (1) A LICENSEE MAY OBTAIN ONE ADDITIONAL LICENSE FOR PREMISES
10 WHICH MEET THE QUALIFICATIONS SPECIFIED IN THIS SUBSECTION. FOR
11 IDENTIFICATION PURPOSES, THE ADDITIONAL LICENSE MAY BE REFERRED TO AS A
12 "GERMANTOWN" LICENSE.

13 (2) AN APPLICANT FOR THIS ADDITIONAL LICENSE SHALL:

14 (I) OPERATE A RESTAURANT IN THE AREA OF GERMANTOWN, AS
15 DEFINED BY THE BOARD;

16 (II) HAVE A CAPITAL INVESTMENT OF AT LEAST \$250,000 FOR
17 RESTAURANT FACILITIES, EXCLUDING THE COST OF LAND AND BUILDINGS; AND

18 (III) HAVE A SEATING CAPACITY OF AT LEAST 125 PERSONS.

19 (3) THE REQUIREMENT THAT THE HOLDER HAVE BEEN A LICENSEE
20 FOR 3 YEARS DOES NOT APPLY TO THIS SUBSECTION.

21 [(h)] (J) (1) This subsection excludes additional licenses issued pursuant to
22 subsection (d) of this section, which relates to public hotels.

23 (2) This section does not permit the issuance to a person or for the use of
24 any partnership, corporation, unincorporated association, or limited liability company of
25 more than the number of licenses specified.

26 (3) Additional restaurant licenses may be issued as follows:

27 (i) Including the original license, the maximum number of licenses is
28 four.

29 (ii) The maximum number of licenses may be obtained as follows:

30 1. Original license;

31 2. Pursuant to subsection (e) of this section, one 3-Year
32 restaurant license; AND

33 3. ONE EACH FROM AMONG TWO OF THE FOLLOWING
34 LICENSES:

35 [3.] A. Pursuant to subsection (f) of this section, one Silver
36 Spring restaurant license; [and]

3

1 [4.] B. Pursuant to subsection (g) of this section, one
2 Rockville-Major Mall restaurant license;

3 C. PURSUANT TO SUBSECTION (H) OF THIS SECTION, ONE
4 GAITHERSBURG RESTAURANT LICENSE; OR

5 D. PURSUANT TO SUBSECTION (I) OF THIS SECTION, ONE
6 GERMANTOWN RESTAURANT LICENSE.

7 (iii) Three licenses may be obtained as follows:

8 1. Original license; AND

9 2. A TOTAL OF TWO FROM AMONG THE FOLLOWING:

10 [2.] A. Pursuant to subsection (f) of this section, one Silver
11 Spring restaurant license; [and]

12 [3.] B. Pursuant to subsection (g) of this section, one
13 Rockville-Major Mall restaurant license;

14 C. PURSUANT TO SUBSECTION (H) OF THIS SECTION, ONE
15 GAITHERSBURG RESTAURANT LICENSE; OR

16 D. PURSUANT TO SUBSECTION (I) OF THIS SECTION, ONE
17 GERMANTOWN RESTAURANT LICENSE.

18 (iv) Three licenses may also be obtained as follows:

19 1. Original license;

20 2. Pursuant to subsection (e) of this section, one 3-Year
21 restaurant license; and

22 3. ONE FROM AMONG THE FOLLOWING LICENSES:

23 [3.] A. Pursuant to subsection (f) or subsection (g) of this
24 section, one Silver Spring or one Rockville-Major Mall restaurant license;

25 B. PURSUANT TO SUBSECTION (H) OF THIS SECTION, ONE
26 GAITHERSBURG RESTAURANT LICENSE; OR

27 C. PURSUANT TO SUBSECTION (I) OF THIS SECTION, ONE
28 GERMANTOWN RESTAURANT LICENSE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1997.