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**By: Senator Hafer**

Introduced and read first time: January 29, 1997

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2           **Garrett County - Alcoholic Beverages**  
3           **(Bed and Breakfast Licenses)**

4 FOR the purpose of creating in Garrett County a Class B bed and breakfast beer, wine  
5           and liquor alcoholic beverages license; specifying the terms, conditions, and  
6           restrictions on the license; and generally relating to alcoholic beverages in Garrett  
7           County.

8 BY repealing and reenacting, with amendments,  
9           Article 2B - Alcoholic Beverages  
10          Section 6-201(m)  
11          Annotated Code of Maryland  
12          (1996 Replacement Volume)

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

15           **Article 2B - Alcoholic Beverages**

16 6-201.

17           (m) (1) This subsection applies only in Garrett County.

18                   (2) (I) [This] A CLASS B BEER, WINE AND LIQUOR license may be  
19 issued for use in a bona fide hotel or motel that:

20                           [(i)] 1. Is an establishment for the accommodation of the public;

21                           [(ii)] 2. Provides services ordinarily found in hotels or motels;

22                           [(iii)] 3. Is equipped with not less than 25 rooms; and

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1 [(iv)] 4. Has a lobby with a registration and mail desk and seating  
2 facilities.

3 [(3)] (II) [This] A CLASS B BEER, WINE AND LIQUOR license may be  
4 issued to a restaurant that:

5 [(i)] 1. Has a seating capacity at tables, not including seats at bars or  
6 counters, for 20 or more persons; and

7 [(ii)] 2. Is capable of preparing and serving full-course meals for 20  
8 or more persons at one seating.

9 [(4)] (III) Except at catered events, if the holder has the catering option, the  
10 holder is authorized to sell brewed beverages, as defined in this article, for off premises  
11 consumption.

12 [(5) (i)] (IV) 1. If the holder has the catering option, this license also  
13 authorizes the holder to keep for sale and sell beer, wine, and liquor for consumption at  
14 events catered in the county by the licensee off the licensed premises.

15 [(ii)] 2. If the licensee provides alcoholic beverages at a catered  
16 event off the licensed premises the holder shall also provide food.

17 [(iii)] 3. The licensee may exercise the catering privileges only during  
18 the hours and days that are permitted under the Class B license.

19 [(6) (i)] (V) 1. The annual fee for a license with the catering option is  
20 \$2,000 and the issuing fee for a new license is \$2,000, in addition to the annual fee.

21 [(ii)] 2. The annual fee for a license without the catering option is  
22 \$1,500. The issuing fee for a new license is \$1,500, in addition to the annual fee.

23 [(7)] (VI) An application for a license under this subsection shall be denied if  
24 the Liquor Control Board determines that the business to be operated under this license  
25 will not enhance the recreational, business, and economical development within the  
26 county.

27 (3) (I) IN THIS PARAGRAPH, "GUEST" MEANS A PERSON WHOSE NAME  
28 AND ADDRESS APPEARS ON THE REGISTRY THAT IS MAINTAINED BY THE  
29 ESTABLISHMENT AND WHO IS AN OCCUPANT OF A SLEEPING ROOM IN THE  
30 ESTABLISHMENT. "GUEST" DOES NOT INCLUDE A PERSON WHO IS REGISTERED  
31 SOLELY FOR THE PURPOSE OF OBTAINING ALCOHOLIC BEVERAGES.

32 (II) 1. THERE IS A CLASS B-B&B LICENSE. THE BOARD MAY  
33 ISSUE A 7-DAY SPECIAL CLASS B (BED AND BREAKFAST) ON-SALE BEER, WINE AND  
34 LIQUOR LICENSE.

35 2. TO QUALIFY FOR A LICENSE UNDER  
36 SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, ~~THE APPLICANT'S ESTABLISHMENT~~  
37 ~~SHALL~~:

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1                                   A. ~~BE LICENSED~~ THE APPLICANT'S ESTABLISHMENT SHALL  
2 BE REGISTERED BY THE COUNTY TO OPERATE AS A BED AND BREAKFAST  
3 ESTABLISHMENT; ~~AND~~

4                                   B. THE APPLICANT'S ESTABLISHMENT SHALL HAVE ROOMS,  
5 EXCLUDING THE RESIDENT MANAGEMENT QUARTERS, WHICH THE PUBLIC, FOR  
6 CONSIDERATION, MAY USE FOR SLEEPING ACCOMMODATIONS FOR A SPECIFIED  
7 PERIOD OF TIME; AND

8                                   C. THE ESTABLISHMENT'S DINING FACILITIES MAY NOT BE  
9 OPEN TO THE GENERAL PUBLIC.

10                                  3. A HOLDER OF A CLASS B-B&B LICENSE MAY SELL BEER,  
11 WINE, AND LIQUOR ONLY TO GUESTS FOR CONSUMPTION ON THE PREMISES  
12 ~~DURING THE DAYS AND HOURS ESTABLISHED FOR A CLASS B ON SALE~~  
13 ~~RESTAURANT BEER, WINE AND LIQUOR LICENSE FOR GARRETT COUNTY UNDER~~  
14 ~~THIS ARTICLE.~~

15                                  (III) THE ANNUAL LICENSE FEES ARE:

- 16                                   1. ONE TO FIVE BEDROOMS: \$25;
- 17                                   2. SIX TO TEN BEDROOMS: \$50; AND
- 18                                   3. ELEVEN OR MORE BEDROOMS: \$75.

19                                  (IV) THE BOARD SHALL CHARGE AN ISSUING FEE IN AN AMOUNT  
20 EQUAL TO THE ANNUAL LICENSE FEE.

21                                  (V) A CLASS B-B&B LICENSE IS AN ON-SALE ONLY LICENSE.

22                                  (VI) THE DAYS AND HOURS OF SALE UNDER THIS LICENSE SHALL  
23 BE IN ACCORDANCE WITH § 11-512(B)(1) OF THIS ARTICLE.

24                                  ~~(VII)~~ (VII) AN APPLICANT SHALL MEET ALL OTHER  
25 QUALIFICATIONS TO HOLD A LICENSE WITHIN THE COUNTY. THE BOARD MAY  
26 ADOPT ADDITIONAL REGULATIONS CONSISTENT WITH THIS PARAGRAPH.

27                                  ~~(VIII)~~ (VIII) IF THE ESTABLISHMENT CEASES TO BE OPERATED AS A  
28 BED AND BREAKFAST, THE LICENSE IS VOID.

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

