

By: **Washington County Delegation**
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Assigned to: Economic Matters

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CHAPTER 246

1 AN ACT concerning

2 **Washington County - Alcoholic Beverages - Population Ratio Quota**

3 FOR the purpose of providing that in Washington County certain individuals are
4 excluded from the population census count for the purpose of calculating the
5 population ratio quota that applies to the issuance of certain alcoholic beverages
6 licenses; and generally relating to the population ratio quota that applies to the
7 issuance of certain alcoholic beverages licenses in Washington County.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 9-222(b)
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)

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 9-222.

17 (b) (1) (i) In this subsection the following words have the meanings
18 indicated.

19 (ii) "Population ratio quota" means 1 license for each 1,000
20 individuals [residing], EXCLUDING INDIVIDUALS DETAINED OR CONFINED IN A
21 CORRECTIONAL FACILITY AS DEFINED UNDER § 1-101(D) OF THE CORRECTIONAL

1 SERVICES ARTICLE, WHO RESIDE in the election district where the license will be
2 issued as determined by the last federal population census.

3 (iii) "Restaurant" means an establishment that:

- 4 1. Is located in a permanent building;
- 5 2. Regularly sells and serves food to the general public;
- 6 3. Has a seating capacity of at least 75 persons; and
- 7 4. Has on an annual basis, gross sales of food and
8 nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

9 (2) In Washington County, except for a Class B alcoholic beverages
10 (on-sale) license issued to a restaurant and any class of alcoholic beverages license
11 renewed or transferred for the same premises, an alcoholic beverages license may not
12 be issued within an election district if the number of alcoholic beverages licenses
13 exceeds the population ratio quota.

14 (3) (i) If the Washington County Board of License Commissioners
15 determines that there is a public need including governmentally sanctioned economic
16 revitalization for the issuance of a license notwithstanding the population ratio quota,
17 the license may be issued by the Board.

18 (ii) The Board shall state in the order granting the issuance of the
19 license the reasons for its decision to exceed the population ratio quota.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2001.