

SENATE BILL 501

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2003 Regular Session
3r1622

By: **Senators Hollinger and Brochin**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 17, 2003

CHAPTER 253

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Class B (SB) Licenses**

3 FOR the purpose of repealing a certain termination provision relating to the transfer
4 of a certain number of Class B (SB) restaurant-service bar beer, wine and liquor
5 (on-sale) licenses into the "Pikesville Revitalization Area" or the "Pikesville
6 Town Center" in Baltimore County; and generally relating to alcoholic beverages
7 licenses in Baltimore County.

8 BY repealing and reenacting, without amendments,
9 Article 2B - Alcoholic Beverages
10 Section 8-204.2
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2002 Supplement)

13 BY repealing and reenacting, with amendments
14 Chapter 333 of the Acts of the General Assembly of 1988, as amended by
15 Chapter 571 of the Acts of the General Assembly of 1990, Chapter 243 of
16 the Acts of the General Assembly of 1992, Chapter 166 of the Acts of the
17 General Assembly of 1995, and Chapter 35 of the Acts of the General
18 Assembly of 1999
19 Section 2

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

1

Article 2B - Alcoholic Beverages

2 8-204.2.

3 (a) Notwithstanding the license population quota limitations, the Baltimore
4 County Board of License Commissioners may issue 10 Class B (SB)
5 restaurant-service bar beer, wine and liquor (on-sale) licenses in the "Pikesville
6 Revitalization Area" or "Pikesville Town Center" in Baltimore County for conversion
7 purposes only, as provided under subsection (c) of this section.

8 (b) The requirements for issuance qualifications, fee, and days and hours of
9 sales under a Class B (SB) restaurant-service bar beer, wine and liquor (on-sale)
10 license are the same as provided in this article for a Class B beer, wine and liquor
11 (on-sale) hotel and restaurant license in Baltimore County with the following
12 additional requirements:

13 (1) (i) The licenses may be issued only to locations within the
14 "Pikesville Revitalization Area", as defined by the Baltimore County Office of
15 Planning and Zoning on or before July 1, 1988; or

16 (ii) The licenses may be issued only to locations within the
17 "Pikesville Town Center", as defined by the Baltimore County Office of Planning and
18 Zoning on or before July 1, 1988;

19 (2) The license shall be used in conjunction with the operation of a
20 "restaurant" as defined by the rules of the Baltimore County Board of License
21 Commissioners;

22 (3) The license shall allow on-premises sales only;

23 (4) The license shall be restricted to restaurants that have table service,
24 specifically excluding any type of service while standing or where the customer
25 accepts delivery of the purchased food items other than while seated at a table;

26 (5) The proposed location must otherwise comply with the zoning
27 ordinances of Baltimore County;

28 (6) The license, once issued, may not be:

29 (i) Transferred outside of the "Pikesville Revitalization Area" or
30 "Pikesville Town Center"; or

31 (ii) Converted to any other class of license; and

32 (7) The license may not be issued for use on premises or a location that
33 has been licensed under any class of on-sale alcoholic beverages license within 2
34 years before the application for the Class B (SB) license is filed.

35 (c) (1) Except for Class C licenses, 10 of any class beer, wine and liquor
36 (on-sale) retail licenses in existence at any location in Baltimore County on January

1 1, 1988 may be transferred into the "Pikesville Revitalization Area" or the "Pikesville
2 Town Center" in Baltimore County and converted into Class B (SB) licenses.

3 (2) Upon transfer, the transferred license may not be considered as a
4 license in the district from which it was transferred.

5 **Chapter 333 of the Acts of 1988, as amended by Chapter 571 of the Acts of**
6 **1990, Chapter 243 of the Acts of 1992, Chapter 166 of the Acts of 1995, and**
7 **Chapter 35 of the Acts of 1999**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 1988. [The provisions of this Act permitting the transfer of any class beer,
10 wine and liquor (on-sale) retail licenses into the "Pikesville Revitalization Area" or
11 the "Pikesville Town Center" in Baltimore County and the conversion of those licenses
12 into Class B (SB) licenses shall remain effective for a period of 16 years and 3 months
13 and, at the end of September 30, 2004, and with no further action required by the
14 General Assembly, those provisions of this Act shall be abrogated and of no further
15 force and effect.]

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2003.