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By: **Montgomery County Delegation**

Introduced and read first time: February 3, 2004

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 16, 2004

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CHAPTER 52

1 AN ACT concerning

2 **Montgomery County - Kensington - Beer and Wine Licenses**  
3 **MC 407-04**

4 FOR the purpose of authorizing the Montgomery County Board of License  
5 Commissioners to issue in the town of Kensington special 2-day on-sale beer  
6 and wine licenses to certain organizations and special B-K beer and wine  
7 licenses for use by certain restaurants; specifying certain circumstances under  
8 which the licenses may be issued; making stylistic changes; and generally  
9 relating to beer and wine licenses in Montgomery County.

10 BY repealing and reenacting, with amendments,  
11 Article 2B - Alcoholic Beverages  
12 Section 8-216(a)(2)  
13 Annotated Code of Maryland  
14 (2001 Replacement Volume and 2003 Supplement)

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

17 **Article 2B - Alcoholic Beverages**

18 8-216.

19 (a) (2) (i) Except as provided in subparagraphs (ii), (iii), and (iv) of this  
20 paragraph, in Montgomery County, a license for the sale of alcoholic beverages  
21 authorized by this article may not be issued for any place of business located in

1 Damascus (12th election district), and in the towns of Barnesville, Kensington,  
2 Laytonsville, Washington Grove and the City of Takoma Park.

3 (ii) In the town of Barnesville, the Montgomery County Board of  
4 License Commissioners may issue a special 7-day on-sale beer, wine[,] and liquor  
5 license to any bona fide religious, fraternal, civic, or charitable organization.

6 (iii) In the town of Kensington, the Montgomery County Board of  
7 License Commissioners may issue A SPECIAL 2-DAY ON-SALE BEER AND WINE  
8 LICENSE OR a special 2-day on-sale beer, wine[,] and liquor license to any bona fide  
9 religious, fraternal, civic, or charitable organization holding an event on municipal  
10 property located at 3710 Mitchell Street, Kensington, Maryland.

11 (iv) 1. In the town of Kensington, the Montgomery County Board  
12 of License Commissioners may issue A SPECIAL B-K BEER AND WINE LICENSE OR a  
13 special B-K beer, wine and liquor license for use on the premises of a restaurant  
14 located in the following commercial areas:

15 A. The west side of Connecticut Avenue between Knowles  
16 Avenue and Perry Avenue;

17 B. The east side of Connecticut Avenue between Knowles  
18 Avenue and Dupont Street and between University Boulevard and Perry Avenue;

19 C. The west side of University Boulevard West;

20 D. Dupont Avenue, west of Connecticut Avenue;

21 E. Plyers Mill Road, west of Metropolitan Avenue;

22 F. Summit Avenue between Knowles Avenue and Howard  
23 Avenue;

24 G. Detrick Avenue between Knowles Avenue and Howard  
25 Avenue; or

26 H. The southwest side of Metropolitan Avenue between North  
27 Kensington Parkway and Plyers Mill Road.

28 2. A special B-K beer, wine and liquor license OR A SPECIAL  
29 B-K BEER AND WINE LICENSE authorizes the holder to keep for sale and sell alcoholic  
30 beverages for consumption on the premises only.

31 3. A licensee shall maintain average daily receipts from the  
32 sale of food, not including carryout food, of at least 70% of the overall average daily  
33 receipts.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
35 effect June 1, 2004.

