

HOUSE BILL 835

A2

9lr1689

By: **Montgomery County Delegation**

Introduced and read first time: February 11, 2009

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2009

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Kensington – Expansion of Area for Alcoholic**
3 **Beverages Licenses**

4 **MC 934-09**

5 FOR the purpose of expanding the commercial area in the Town of Kensington in
6 which the Montgomery County Board of License Commissioners may issue
7 certain alcoholic beverages licenses for restaurants; specifying a certain time
8 after which alcoholic beverages may not be served in a certain area; ~~specifying a~~
9 ~~certain minimum seating capacity for licensed restaurants;~~ and generally
10 relating to alcoholic beverages licenses in Montgomery County.

11 BY repealing and reenacting, with amendments,
12 Article 2B – Alcoholic Beverages
13 Section 8-216(a)(2)(iv)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2008 Supplement)

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

18 **Article 2B – Alcoholic Beverages**

19 8-216.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (2) (iv) 1. In the town of Kensington, the Montgomery County
2 Board of License Commissioners may issue a special B–K beer and wine license or a
3 special B–K beer, wine and liquor license for use on the premises of a restaurant
4 located in the following commercial areas:

5 A. The west side of Connecticut Avenue between
6 Knowles Avenue and Perry Avenue;

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

9 C. The west side of University Boulevard West;

10 D. Dupont Avenue, west of Connecticut Avenue;

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

12 F. Summit Avenue between Knowles Avenue and
13 Howard Avenue;

14 G. Detrick Avenue between Knowles Avenue and
15 Howard Avenue;

16 H. The southwest side of Metropolitan Avenue between
17 North Kensington Parkway and Plyers Mill Road;

18 I. East Howard Avenue;

19 J. Armory Avenue between Howard Avenue and
20 Knowles Avenue; [or]

21 K. Montgomery Avenue between Howard Avenue and
22 Kensington Parkway; **OR**

23 **L. KENSINGTON PARKWAY AND FREDERICK**
24 **AVENUE, FROM MONTGOMERY AVENUE TO SILVER CREEK.**

25 2. A special B–K beer, wine and liquor license or a
26 special B–K beer and wine license authorizes the holder to keep for sale and sell
27 alcoholic beverages for consumption on the premises only.

28 3. A licensee shall maintain average daily receipts from
29 the sale of food, not including carryout food, of at least 50% of the overall average daily
30 receipts.

31 4. In addition to the restrictions in subparagraphs 2
32 and 3 of this subparagraph, the holder of a special B–K beer and wine license or a

1 special B-K beer, wine and liquor license in the commercial areas specified in items I,
2 J, [and] K, AND L of this subsubparagraph may not serve alcoholic beverages after 11
3 p.m.

4 ~~5. A RESTAURANT FOR WHICH A LICENSE IS ISSUED~~
5 ~~UNDER THIS SUBPARAGRAPH SHALL HAVE A MINIMUM SEATING CAPACITY OF 20~~
6 ~~PERSONS.~~

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 ~~July~~ June 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.