

CHAPTER 157

(House Bill 835)

AN ACT concerning

Montgomery County – Kensington – Expansion of Area for Alcoholic Beverages Licenses

MC 934–09

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

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

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

Article 2B – Alcoholic Beverages

8–216.

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

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

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

C. The west side of University Boulevard West;

D. Dupont Avenue, west of Connecticut Avenue;

- E. Plyers Mill Road, west of Metropolitan Avenue;
- F. Summit Avenue between Knowles Avenue and Howard Avenue;
- G. Detrick Avenue between Knowles Avenue and Howard Avenue;
- H. The southwest side of Metropolitan Avenue between North Kensington Parkway and Plyers Mill Road;
- I. East Howard Avenue;
- J. Armory Avenue between Howard Avenue and Knowles Avenue; [or]
- K. Montgomery Avenue between Howard Avenue and Kensington Parkway; OR

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

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

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

4. In addition to the restrictions in subparagraphs 2 and 3 of this subparagraph, the holder of a special B–K beer and wine license or a special B–K beer, wine and liquor license in the commercial areas specified in items I, J, [and] K, AND L of this subparagraph may not serve alcoholic beverages after 11 p.m.

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

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

Approved by the Governor, April 14, 2009.