

## Article - Alcoholic Beverages

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§5–401.

(a) (1) A Class D beer and light wine license shall be issued by the license issuing authority of the county in which the place of business is located. The license authorizes its holder to keep for sale and to sell beer and light wines at retail, at the place described in the license, for consumption on the premises or elsewhere. The license may not be issued for any drugstore.

(2) The annual fee shall be paid to the local collecting agent before any license is issued, for distribution as provided in this article.

(b) In Allegany County the annual license fee is \$210.

(c) (1) (i) In Anne Arundel County the annual license fee is \$480.

(ii) This license does not apply in the City of Annapolis.

(2) (i) The annual license fee for a Class WT license is \$90.

(ii) A Class WT license, on-sale, is for taverns without music, dancing, or other similar entertainment.

(3) (i) The annual license fee for a Class WTM license is \$115.

(ii) A Class WTM license, on-sale, is for taverns with music, but without dancing, or other similar entertainment.

(d) In Baltimore City the annual license fee is \$165.

(e) (1) In Baltimore County the annual license fee is \$250.

(2) The area of the licensed premises normally used for the preparation and consumption of alcoholic beverages on the premises may occupy no less than 80 percent of the square foot area. These occupancy requirements do not apply to or affect any present licensee having this license prior to December 31, 1966.

(f) This section does not apply to Calvert County.

(g) In Caroline County the annual license fee is \$500.

(h) (1) This subsection applies only to Carroll County.

(2) The privileges conferred by a Class D beer and light wine license may be exercised from 11 a.m. to 11 p.m. on Sunday.

(3) The annual license fee is \$250.

- (i) In Cecil County the annual license fee is \$225.
- (j) (1) In Charles County the annual license fee is \$340.  
(2) In addition to the annual license fee, a license holder shall annually pay:
  - (i) \$200, if the license holder provides live entertainment; and
  - (ii) \$200, if the license holder provides outdoor table service.
- (k) In Dorchester County the annual license fee is \$275.
- (l) This section does not apply to Frederick County.
- (m) (1) This subsection applies only in Garrett County.  
(2) The Board of License Commissioners may issue a Class D beer and light wine license without or with a catering option.  
(3) A holder of a Class D beer and light wine license without a catering option may sell beer and light wine for consumption on the licensed premises or elsewhere.  
(4) (i) In addition to exercising the privileges stated in paragraph (3) of this subsection, a holder of a Class D beer and light wine license with a catering option may keep for sale and sell beer and light wine for consumption at events that the holder caters off the licensed premises.
  - (ii) To exercise the catering option, a holder of a Class D beer and light wine license:
    - 1. Shall provide food if the holder provides alcoholic beverages at a catered event off the licensed premises; and
    - 2. May exercise the catering option only during the hours and days that are allowed by the Board of License Commissioners.
- (5) For a license without a catering option:
  - (i) The issuing fee for a new license is \$350; and
  - (ii) The annual fee is \$350.
- (6) For a license with a catering option:
  - (i) The issuing fee for a new license is \$475; and
  - (ii) The annual fee is \$475.

(7) The Board may grant a license holder a privilege at no charge to sell beer or light wine for consumption off the licensed premises at a catered event if:

(i) The beer or light wine is bottled in commemorative or special event bottles and sold at a special event;

(ii) The Board approves the commemorative or special event bottles before the event occurs; and

(iii) The beer or wine will be sold at the event only on the days and hours allowed by the Board.

(n) This section does not apply to Harford County.

(o) In Howard County the annual fee is \$175.

(p) This section does not apply to Kent County.

(q) (1) This subsection applies only in Montgomery County.

(2) (i) For a Class D license, the annual license fee is \$400.

(ii) 1. The Board of License Commissioners may issue a refillable container permit to a holder of a Class D beer and light wine license issued by the Board of License Commissioners:

A. On completion of an application form that the Board provides; and

B. At no cost to the Class D license holder.

2. A refillable container permit may be renewed each year concurrently with the renewal of a Class D beer and light wine license.

(iii) A refillable container permit entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container that:

1. Has a capacity of not less than 32 ounces and not more than 128 ounces; and

2. Meets the requirements under subparagraph (iv) of this paragraph.

(iv) To be used as a refillable container under subparagraph (iii) of this paragraph, a container shall meet the standards under § 21-107 of this article.

(v) The term of and hours of sale for a refillable container permit issued under this subsection are as specified for the permit holder's Class D beer and light wine license.

(vi) A holder of a refillable container permit may refill only a refillable container that meets the standards under § 21–107 of this article.

(vii) The Board of License Commissioners may adopt regulations to implement the provisions of this subsection relating to the issuance of a refillable container permit.

(3) (i) In this paragraph, “establishment” means a bowling alley, billiard hall, or drugstore or a restaurant located within these businesses.

(ii) The license may not be issued to, or for use in conjunction with, or upon the premises of any establishment, or for use upon any premises which has a door, archway, opening or other passageway providing direct public access to any establishment.

(iii) These restrictions which prohibit the issuance of licenses to drugstores or premises adjoining them are not applicable to any establishment which on July 1, 1969, holds an alcoholic beverage license and which on July 1, 1969, has a door, archway, opening or other passageway providing direct public access to any drugstore.

(r) (1) In Prince George’s County the annual license fee for a Class D beer and light wine license under subsection (a) of this section is \$365.

(2) (i) This paragraph applies only in Prince George’s County.

(ii) There is a special Class D beer and wine license that may be issued for an establishment in a waterfront entertainment retail complex, as defined in the county zoning ordinance.

(iii) The hours of operation are from 9 a.m. to 2 a.m. the following day.

(iv) A license holder need not meet any food requirements.

(v) Beer and wine may be sold for consumption on and off the premises 7 days a week.

(vi) The annual license fee is \$660.

(s) In Queen Anne’s County the annual license fee is \$500.

(t) This section does not apply to St. Mary’s County.

(u) (1) In Somerset County the annual license fee is \$253.

(2) Beer and wine may be sold for both on– and off–sale consumption.

(v) This section does not apply to Talbot County.

- (w) In Washington County the annual license fee is \$150.
- (x)
  - (1) This subsection applies only in Wicomico County.
  - (2) The annual fee for a 6–day license is \$275.
  - (3) The annual fee for a 7–day license is \$400.
  - (4) The days and times for sales of beer and light wine under each license are as provided in § 11–523(c)(3) through (8) of this article.
- (y)
  - (1) This subsection applies only in Worcester County.
  - (2) The annual 6–day license fee is \$350.
  - (3) The annual 7–day license fee, applied countywide, is \$500.
  - (4) The hours for sale are as provided in § 11–524 of this article.

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