

## Article - Alcoholic Beverages

[Previous][Next]

§8–202.1.

- (a) This section applies only in Anne Arundel County.
  - (b)
    - (1) In this section the following words have the meanings indicated.
    - (2) “Board” means the Board of License Commissioners of Anne Arundel County.
    - (3) “Capital investment” means amounts paid for the acquisition of property:
      - (i) For a useful life greater than 1 year; or
      - (ii) For a permanent improvement or betterment of the property that has a useful life greater than 1 year.
    - (4) “Cost of land” includes:
      - (i) The purchase price, plus taxes and fees incidental to the purchase, including costs related to obtaining appropriate zoning and licensing;
      - (ii) The cost of site grading, preparation, paving, sidewalks, gutters, curbs, and landscaping; and
      - (iii) The cost of the construction and installation of all utilities to the exterior of the building shell.
    - (5) “Cost of the building shell” includes the cost attributable to a structure with a roof, sidewalls, doors, and windows completely enclosed and weatherproofed on a slab or other subflooring.
  - (c)
    - (1) There is a 7–day Class BLX (deluxe restaurant) (on–sale) beer, wine and liquor license.
    - (2) A BLX license may be issued only for the use of an establishment that:
      - (i) Qualifies as a restaurant under the regulations of the Board;
      - (ii) Has a minimum seating capacity of 100 persons for dining;
      - (iii) Has a cocktail lounge or bar area seating capacity not exceeding 25% of the seating capacity for dining;
      - (iv) Has parking facilities to accommodate a minimum of 75 vehicles;
- and

(v) Has a minimum capital investment by the applicant of \$800,000, exclusive of the cost of the land and buildings.

(d) (1) If an applicant for a BLX license purchases an existing building, the capital investment attributable to the cost of the building shell shall be based on the fair market value of the structures for which the cost of the building shell was incurred, determined at the time of purchase.

(2) The capital investment, excluding land and building shell, shall also be evaluated at the fair market value at the time of purchase.

(3) If the premises are leased, the rent paid for the land shall be considered a cost of land and any rent paid for a building shall be considered a cost of a building shell.

(e) A BLX license may not be issued for use in an establishment that is a fast-food style restaurant.

(f) The annual license fee is \$1,200.

(g) (1) A licensee may hold not more than 10 licenses of any class in accordance with this section.

(2) Of the licenses held by a licensee:

(i) Not more than four licenses may be ones in which the licensee holds a direct interest; and

(ii) The remaining licenses shall be ones in which the licensee holds an indirect interest, as evidenced by any of the following relationships involving the licensee and another licensee or the licensee and an applicant for a license:

1. A common parent company;
2. A franchise agreement;
3. A licensing agreement;
4. A concession agreement;
5. Membership by the licensee and the other person in a chain of businesses commonly owned and operated and so portrayed to the public;
6. Sharing of directors or stockholders or sharing of directors or stockholders of parent companies or subsidiaries;
7. Common direct or indirect sharing of profit from the sale of alcoholic beverages; or

8. Sharing of a common trade name, trademark, logo or theme, or mode of operation identifiable by the public, except hotels and motels.

(h) (1) Except as provided in paragraph (2) of this subsection, a license that was issued on or before June 30, 2006, and in which a licensee holds a direct interest or an indirect interest:

(i) Shall be counted against the maximum number of 10 licenses that the licensee may hold under this section; but

(ii) Is exempt from subsections (i) through (l) of this section.

(2) A Class H license that was issued in the period beginning on March 14, 2005, and ending on December 1, 2005, may not be counted against the maximum number of 10 licenses that the licensee may hold under this section.

(i) A person may be issued one Class B license, Class H license, or Class BLX alcoholic beverages license for a restaurant located anywhere in the county.

(j) A licensee may be issued a second license if:

(1) The licensee holds a Class B license that has a restriction prohibiting off-sales, a Class H license, or a Class BLX license;

(2) The license sought is a Class H license or a Class BLX license; and

(3) The restaurant for which the license is sought is located in:

(i) The Glen Burnie Urban Renewal Area;

(ii) The Parole Town Center Growth Management Area;

(iii) The Odenton Town Center Growth Management Area;

(iv) The Baltimore–Washington International Thurgood Marshall Airport State Priority Funding Area, as designated by Anne Arundel County in accordance with § 6–301(f)(8) of the Economic Development Article;

(v) A shopping center with a gross area of at least 1,000,000 square feet that is zoned C3 General Commercial by the zoning article of the Anne Arundel County Code;

(vi) The Route 198 corridor, consisting of properties located within 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the east to the Prince George’s County–Anne Arundel County line on the west;

(vii) A community revitalization zone with a designation in the series “A” through “P”, inclusive, as shown on the map adopted by the Anne Arundel County Council by Bill 97–01;

(viii) The Severn Commercial District, consisting of properties designated as “commercial zoning” by the comprehensive rezoning maps adopted by the Anne Arundel County Council and located on that portion of Maryland Route 174 west of Maryland Route 100 and east of the railroad right-of-way owned by the National Railroad Passenger Corporation (Parcel 117, Anne Arundel County Tax Map 29);

(ix) The Edgewater/Mayo Commercial District, consisting of those properties that are designated “commercial zoning districts” on the comprehensive rezoning maps adopted by the Anne Arundel County Council for the Edgewater/Mayo Small Area Planning District;

(x) The Pasadena Commercial District, consisting of those properties that are designated “commercial zoning areas”, including Lake Shore Crossing, Lake Shore Plaza, and the Mountain Marketplace Shopping Center on the comprehensive zoning maps adopted by the Anne Arundel County Council for the Pasadena Small Area Planning District; or

(xi) The area in Pasadena known as the Brumwell Property.

(k) A licensee may be issued a third license if:

(1) The license sought is a Class BLX license; and

(2) The restaurant for which the license is sought is located in:

(i) The Glen Burnie Urban Renewal Area;

(ii) The Parole Town Center Growth Management Area;

(iii) The Odenton Town Center Growth Management Area;

(iv) The Baltimore–Washington International Thurgood Marshall Airport State Priority Funding Area, as designated by Anne Arundel County in accordance with § 6–301(f)(8) of the Economic Development Article;

(v) A shopping center with a gross area of at least 1,000,000 square feet that is zoned C3 General Commercial by the zoning article of the Anne Arundel County Code;

(vi) The Route 198 corridor, consisting of properties located within 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the east to the Prince George’s County–Anne Arundel County line on the west;

(vii) A community revitalization zone with a designation in the series “A” through “P”, inclusive, as shown on the map adopted by the Anne Arundel County Council by Bill 97–01;

(viii) The Severn Commercial District, consisting of properties designated as “commercial zoning” by the comprehensive rezoning maps adopted by the Anne Arundel County Council and located on that portion of Maryland Route 174 west of Maryland Route 100 and east of the railroad right-of-way owned by the National Railroad Passenger Corporation (Parcel 117, Anne Arundel County Tax Map 29);

(ix) The Edgewater/Mayo Commercial District, consisting of those properties that are designated “commercial zoning districts” on the comprehensive rezoning maps adopted by the Anne Arundel County Council for the Edgewater/Mayo Small Area Planning District;

(x) The Pasadena Commercial District, consisting of those properties that are designated “commercial zoning areas”, including Lake Shore Crossing, Lake Shore Plaza, and the Mountain Marketplace Shopping Center on the comprehensive zoning maps adopted by the Anne Arundel County Council for the Pasadena Small Area Planning District; or

(xi) The area in Pasadena known as the Brumwell Property.

(l) (1) A licensee may be issued a fourth license if the license sought is a Class BLX license.

(2) The restaurant for which the license is sought may be located anywhere in the county.

(m) (1) A licensee may be issued a fifth license if the license sought is a Class BLX license.

(2) The restaurant for which the fifth license is sought may be located anywhere in the county.

(n) (1) A licensee may be issued a sixth, seventh, eighth, ninth, or tenth license if the license sought is a Class BLX license.

(2) The restaurant for which the license is sought may be located anywhere in the county.

(o) The hours and days that a licensee may exercise the privileges of sale under a BLX license are the same as those for a Class B (on-sale) beer, wine and liquor license in Anne Arundel County.

(p) (1) This subsection does not apply to a transfer of licensees for the same premises or a renewal of a BLX license.

(2) A BLX license may not be transferred from the location site of its first issuance.

(q) The Board shall adopt regulations to carry out this section.

[Previous][Next]