

Article - Alcoholic Beverages

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§8–202.

- (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.
 - (3) “License” means a license for the sale of alcoholic beverages that is issued by the Board.
- (c) In the City of Annapolis the Mayor, Counselor, and Aldermen have the power to:
 - (1) Fix the fees for all licenses authorized to be issued in the city; and
 - (2) Determine a periodic basis on which payments for the renewal of a license may be made.
- (d) (1) There is a special Sunday license.
 - (2) Notwithstanding any other provision of this article and except for “special licenses” provided for in § 6–501 of this article, a licensee may not sell any alcoholic beverages after 2 a.m. on Sundays except as provided in this section.
 - (3) Upon application made in the same manner as for new licenses and approved by the Board as provided for by §§ 10–202(d) and 10–208(b) of this article, a licensee shall be issued an additional license known as a “special Sunday license” upon payment of the required fee.
 - (4) (i) The holder of a “special Sunday license” may sell alcoholic beverages on Sundays. The licenses shall be of the same kind as the ongoing license and are subject to the same limitations as to hours, restrictions, and other provisions found in licenses issued by the Board. The alcoholic beverages shall contain the same alcoholic content as is found in other alcoholic beverages.
 - (ii) A “special Sunday license” may not be issued to any person:
 - 1. Who holds a hotel–limited service license under subsection (j) of this section; or
 - 2. Who does not hold an alcoholic beverages license of some other class issued by the Board.
 - (5) (i) The annual fee for each beer and light wine “special Sunday

license” is \$60.

(ii) The annual fee for each beer, wine and liquor “special Sunday license” is \$120.

(6) “Special Sunday licenses” may be renewed in the same manner as other licenses. “Special Sunday licenses” are not “special licenses” under the provisions of § 10–301 of this article.

(7) The granting of a “special Sunday license” in addition to a license of any other class, to the same licensee, shall not be deemed to be in conflict with the provisions of § 9–102 of this article.

(8) If any other license held by the holder of a “special Sunday license” is suspended or revoked, the “special Sunday license” is suspended or revoked by operation of law.

(9) Section 9–203(c) of this article does not prohibit any person who holds any other class of alcoholic beverages license from obtaining a “special Sunday license”.

(10) This subsection does not apply in the sixth district, which is the City of Annapolis.

(11) This section does not apply to beach and amusement park licenses.

(e) (1) There is a racetrack license.

(2) The owner of any regularly licensed racing establishment, whether individual, association of individuals, or a corporation, without further residential, voting or locative qualifications, may procure a license for the sale of any and all alcoholic beverages within the confines of its racing park.

(3) The license fee is \$60 per day to be paid on January 1 for the racing of the preceding year, payable to the Board. It entitles the holder to sell at one or more locations within its park.

(4) Licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with the provisions of this section.

(5) This subsection does not apply to the sixth district, which is the City of Annapolis.

(f) The Board may permit the sale of any alcoholic beverages permitted by law to be sold in any district other than the sixth, which is the City of Annapolis, on or in any parking lot, picnic grounds, building or terrace which forms an integral part of the licensed premises.

(g) (1) There is an airport concessionaire license.

(2) (i) An individual, association of individuals, or a corporation which is a lessee, sublessee, or a concessionaire at any airport, without further residential, voting or locative qualifications, may obtain an airport concessionaire license for the sale of any and all alcoholic beverages within the airport terminal buildings.

(ii) 1. This subparagraph does not apply to duty free shops.

2. A person who is a lessee, sublessee, or concessionaire at Baltimore-Washington International Thurgood Marshall Airport may hold one airport concessionaire license for multiple locations within the terminal building of Baltimore-Washington International Thurgood Marshall Airport, even if the person already holds one or more alcoholic beverages licenses of any other type issued by the Board.

(iii) 1. The Board may issue a second airport concessionaire license for a leased premises or concessionaire space that is licensed as of March 1, 2004, at Baltimore-Washington International Thurgood Marshall Airport to maintain service during a transition involving different licensees; but

2. The first airport concessionaire license shall expire when the privileges under the second are exercised.

(iv) On receipt of an application for an airport concessionaire license under subparagraph (ii) or (iii) of this paragraph, the Board shall:

1. Give precedence to the application over all other license applications; and

2. Hold a hearing on the application at the Board meeting that immediately follows receipt of the application.

(3) (i) The annual fee for the airport concessionaire license and one location from which alcoholic beverages may be sold is \$5,000.

(ii) The annual fee for each additional location from which alcoholic beverages may be sold is \$5,000.

(iii) Each fee shall be paid on May 1 to the Board.

(iv) The licensee may sell alcoholic beverages every day from each location within the airport terminal buildings.

(v) The license permits the playing of music and dancing.

(vi) The provisions of subsection (d) of this section relating to special Sunday licenses do not apply to the holder of a license issued under this subsection.

(4) Licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with the provisions of this section.

(h) (1) There is a resort complex license.

(2) “Resort complex” means a recreational area of 10 or more acres with beach facilities and facilities to serve and accommodate 500 or more persons at one time.

(3) The Board may issue a resort complex license covering “on-sales” of beer, wine and liquor to any person, for the sale of any and all alcoholic beverages within the confines of the resort complex. This license shall be issued only to the person, firm, or corporation owning or leasing a resort complex.

(4) (i) The annual license fee is \$1,800.

(ii) It shall be paid on May 1 to the Board and entitles the holder to sell daily at one or more locations within the resort complex.

(iii) The license permits playing of music and dancing.

(iv) The provisions of subsection (d) of this section relating to special Sunday licenses do not apply to the holder of a license issued under this subsection.

(5) The licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with the provisions of this subsection.

(6) This license permits the sale of alcoholic beverages at bars or counters, but not for consumption off the premises.

(7) Licensees may serve alcoholic beverages at one or more outside locations within the resort complex from 8 a.m. to midnight for each outing and from 6 a.m. to 2 a.m. in main, permanent areas.

(i) (1) There is a motel/hotel–restaurant license.

(2) The license covers “on-sales” of beer, wine and liquor to any person, without further residential, voting or locative qualifications being required of the applicant, for the sale of any and all alcoholic beverages within the confines of the motel–restaurant complex or hotel–restaurant complex.

(3) (i) These licenses shall be issued only to the person, firm, or corporation owning or leasing motel–restaurant complexes or hotel–restaurant complexes that have:

1. A capital investment of not less than \$500,000;

2. 100 rooms or more; and

3. An enclosed dining room which serves at least twice daily full-course meals from menus.

(ii) If the food concession is leased to a concessionaire, the concessionaire is exempt from having a capital investment of not less than \$500,000.

(iii) Any motel–restaurant complex or hotel–restaurant complex with 100 or more rooms shall have a motel–restaurant or hotel–restaurant complex license by October 1, 1977.

(4) (i) The annual license fee for each separate establishment is \$3,600.

(ii) The fee shall be paid on May 1 to the Board and entitles the holder to sell alcoholic beverages every day at one or more locations within the hotel–restaurant or motel–restaurant complex.

(iii) The license permits the playing of music and dancing.

(iv) The provisions of subsection (d) of this section relating to special Sunday licenses do not apply to the holder of a license issued under this subsection.

(5) (i) The licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages, not inconsistent with the provisions of this subsection.

(ii) This license permits the sale of alcoholic beverages at bars or counters, but not for consumption off the premises.

(j) (1) (i) There is a beer and wine (hotel–limited service) (on–sale) license.

(ii) There is a beer, wine and liquor (hotel–limited service) (on–sale) license.

(2) The Board may issue a license under paragraph (1)(i) or (ii) of this subsection only to a person who owns or leases a hotel that contains at least 50 rooms and operates a kitchen licensed at least as a food service facility.

(3) A license issued under this subsection entitles the holder to sell alcoholic beverages every day at one or more locations within the hotel.

(4) The annual license fee is:

(i) \$2,400 for a beer and wine (hotel–limited service) license; and

(ii) \$2,800 for a beer, wine and liquor (hotel–limited service) license.

(5) The annual license fee shall be paid on May 1 to the Board.

(k) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Concessionaire” means a lessee, sublessee, or any other operator of an establishment that:

1. Engages in the daily sale of beer, wine, and liquor on its premises for consumption anywhere in an entertainment facility; and

2. Is operated as a concession adjacent to but independent of the entertainment facility.

(iii) “Entertainment facility” means a facility that holds a license under Title 9, Subtitle 1A of the State Government Article.

(2) (i) There is an entertainment facility license.

(ii) The Board may issue an entertainment facility license for an entertainment facility that contains one or more food service facilities, bars, or lounges that are part of the operation of the entertainment facility.

(iii) The entertainment facility license shall be issued to an individual, entity, or subsidiary of an entity that owns an entertainment facility and holds a license under Title 9, Subtitle 1A of the State Government Article.

(iv) An applicant for an entertainment facility license need not meet any location, voting, or residency requirements.

(v) An entertainment facility license authorizes the holder to sell beer, wine, and liquor on any premises of the entertainment facility that is not covered by an entertainment concessionaire license for consumption anywhere in the entertainment facility.

(3) (i) There is an entertainment concessionaire license.

(ii) The Board may issue an entertainment concessionaire license to a concessionaire operating in conjunction with an entertainment facility.

(iii) The entertainment concessionaire license authorizes the holder to sell beer, wine, and liquor on the premises of the concessionaire for consumption anywhere in the entertainment facility.

(4) (i) The annual fee for an entertainment facility license is \$15,000.

(ii) The annual fee for an entertainment concessionaire license is \$5,000.

(iii) The annual license fees shall be paid on May 1 to the Board.

(5) (i) An off-sale privilege is not conferred by an entertainment facility license or an entertainment concessionaire license.

(ii) Beer, wine, and liquor purchased under an entertainment facility license or an entertainment concessionaire license may be taken into and consumed anywhere in an entertainment facility.

(iii) The hours for the sale and consumption of alcoholic beverages under an entertainment facility license or an entertainment concessionaire license are the same as the hours of operation for a video lottery facility established under § 9-1A-23 of the State Government Article.

(6) An entertainment facility license and an entertainment concessionaire license authorize the playing of music and dancing in their respective licensed premises.

(7) Subsection (d) of this section, relating to special Sunday licenses, does not apply to a license issued under this subsection.

(8) An entertainment facility license or an entertainment concessionaire license may not be counted as a Class B or Class H license for purposes of § 9-102(h-1) of this article.

(9) The licenses and holders are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with this subsection.

(10) Any penalty or other sanction that is imposed for a violation of a regulation of the Board on the licensed premises of the holder of an entertainment concessionaire license shall apply to the concessionaire that the Board determines to be responsible for the violation.

(1) (1) There is a refillable container permit.

(2) The Board may issue a refillable container permit to a holder of a Class A license, a Class B license, or a Class D license.

(3) Subject to paragraph (4) of this subsection, a refillable container permit entitles the holder to sell draft beer for consumption off the licensed premises in a refillable container with a capacity of not less than 32 ounces and not more than 128 ounces.

(4) To be used as a refillable container under paragraph (3) of this subsection, a container shall meet the standards under § 21-107 of this article.

(5) Before the Board issues a refillable container permit:

(i) The applicant shall:

1. Complete the form that the Board provides; and

2. Pay an annual permit fee of:

A. \$500 for an applicant whose alcoholic beverages license does not have an off-sale privilege; or

B. \$50 for an applicant whose alcoholic beverages license has an off-sale privilege; and

(ii) An applicant who holds a license without an off-sale privilege shall meet the same advertising, posting of notice, and public hearing requirements as those for the license that the applicant holds.

(6) The term of a refillable container permit issued to a successful applicant is the same as that of the license that the applicant holds.

(7) The hours of sale for a refillable container permit:

(i) Begin at the same time as those for the license already held by the person to whom the refillable container permit is issued; and

(ii) End at midnight.

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

(9) The Board shall adopt regulations to carry out this subsection.

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