

Article - Alcoholic Beverages

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§8–204.5.

(a) This section applies only in Baltimore County.

(b) (1) Notwithstanding the license population quota limitations and in addition to the licenses authorized for issuance under this article, the Board of License Commissioners may authorize the transfer of the number of Class B and Class D beer, wine and liquor (on-sale) retail licenses, in existence in election district 15 on January 15, 2005, and valid on the date of transfer, in accordance with the following schedule:

(i) Two to the Quarry at Greenspring, to be known as (QG) licenses, on or after April 1, 2005, located at lots 1 through 9, inclusive, identified on the plat of Greenspring Quarry, areas F, G, and K, dated December 21, 2004, and delivered to Baltimore County for recording on December 29, 2004;

(ii) Three to the area of State-owned land adjacent to and abutting the Owings Mills Metro Station, governed by a master development agreement creating the Metro Center at Owings Mills, to be known as (MCOM) licenses, on or after October 1, 2005; and

(iii) Three to the Promenade at Catonsville, to be known as (PC) licenses, on or after April 1, 2006, located at and identified by the State Department of Assessments and Taxation map 101, parcels 132, 516, 1088, 1344, 1804, and 1985.

(2) A license transferred from election district 15 under this section:

(i) May not be a Class A or C license or a license that is prohibited from being transferred by law or local regulation other than the prohibition against crossing district lines;

(ii) Shall be considered a regular license in its new location and not an exception license for purposes of determining the total number of licenses available in any election district based on the rule of the Board of License Commissioners that limits the total number of licenses available by population;

(iii) Shall be converted into a Class B (QG), (MCOM), or (PC) license;
and

(iv) As of the date of transfer, may not be construed to exist in district 15.

(c) Subject to the provisions of subsection (d) of this section, the restrictions and qualifications for the issuance and renewal of a Class B (QG), (MCOM), or (PC) restaurant (on-sale) beer, wine and liquor retail license under this section, the minimum square foot area requirement for food and beverage preparation and

consumption in the licensed establishment and the days and hours of sale for the licensed establishment shall be the same as those restrictions and qualifications provided for in this article and in the regulations of the Board of License Commissioners for a Class B beer, wine and liquor (on-sale) hotel and restaurant license.

(d) The following additional requirements apply to a Class B (QG), (MCOM), or (PC) restaurant (on-sale) beer, wine and liquor retail license established by this section:

(1) The license may be issued only for a location within the geographic areas identified in subsection (b)(1) of this section;

(2) The license shall be used in conjunction with the operation of a restaurant, as defined in this article and the regulations of the Board of License Commissioners;

(3) The restaurant operation shall maintain average daily receipts from the sale of the food of at least 60% of the total daily receipts of the establishment;

(4) The total seating capacity for the area dedicated primarily for the purpose of the consumption of alcoholic beverages may not exceed 25% of the total seating capacity of the establishment; and

(5) Subject to the provisions of subsection (h) of this section, the hours during which the privileges conferred by the license may be exercised may not exceed the hours for which food is offered for sale.

(e) The license authorizes on-premises sales only.

(f) The proposed premises shall comply with all applicable zoning regulations.

(g) (1) Once issued, a license under this section may not be:

(i) Transferred to a new location outside the geographic area, as defined in subsection (b)(1) of this section, for which it was originally issued; or

(ii) Converted into any other class of license.

(2) Paragraph (1) of this subsection does not prohibit the transfer of:

(i) The ownership of a license; or

(ii) The location of a licensed establishment within the geographic area as defined in subsection (b)(1) of this section.

(h) Alcoholic beverages may be sold in the establishment only until 1:30 a.m.

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