

## Article - Alcoholic Beverages

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§8–208.

(a) (1) In Cecil County, the Board of License Commissioners may issue a 7-day beer, wine and liquor on-sale license to a club or organization.

(2) To qualify, the club or organization:

(i) Shall own real property in the county; and

(ii) 1. If a yacht club, the club shall have a minimum of 150 members of which 50 members own yachts, boats, or other vessels; or

2. If a local veterans' organization or a local fraternal or sororal organization, the organization shall be associated with a national organization.

(3) The license authorizes the holder to sell beer, wine and liquor for on-premises consumption only.

(4) (i) The annual fee for a profit club or organization is \$2,000; and

(ii) The annual fee for a nonprofit club or organization is \$500.

(b) The Board of License Commissioners may not issue in the aggregate a number of alcoholic beverages licenses under the provisions of this subtitle which exceeds more than one to every 400 registered voters in Cecil County, or major fraction thereof, as determined by the current registration of voters. However, any Class C club licenses issued therein, the licenses provided for in subsection (i) of this section, or licenses provided for under § 8-501.1 of this article may not be counted in the computation of the aggregate number of alcoholic beverages licenses. The quota shall be computed and applied separately for each of the several election districts of Cecil County.

(c) Any licensee in the county may apply at any time to the Board of License Commissioners for the issuance of any class or type of license other than the license then being held. The Board shall publish notice of the application in one newspaper of general circulation in the county on each of two successive weeks. Thereafter the Board shall hold a public hearing on the date fixed in the notice. The Board may approve the application in its discretion, but in approving the application, the Board shall consider the general reputation and character of the applicant, the manner of his conducting and operating the business presently being licensed and the public necessity for the license for which application is made. The Board, before approving any application, shall require an inspection of the premises for which the application is made and shall require the premises to comply with all of the rules and regulations of the Board applicable thereto. In all respects, other than as provided herein, the application shall be subject to the requirements of the provisions of this article applicable in the county.

The fee for the issuance of any license under this subsection shall be as follows: For a change from one class of beer license to any other class of beer license, from any class of beer and wine license to any other class of beer and wine license or from any class of beer, wine and liquor license to any other class of beer, wine and liquor license, the fee for the transfer is \$1,000; for a change from any class of either beer license or beer and wine license to the same class of beer, wine and liquor license or from one class of beer license to any other class of beer and wine license, the fee for the transfer is \$2,000; and for a change from any class of either beer license or beer and wine license to any other class of beer, wine and liquor license, the fee for the transfer is \$3,000. All of the above transfer fees shall be in addition to the regular fee provided in this article for the license applied for. The fee for issuance of any new license after July 1, 1972 shall be, in addition to the regular yearly fee provided for in this article, for any class of beer license: \$1,000; for any class of beer and wine license: \$2,000; and for any class of beer, wine and liquor license: \$3,000.

(d) Nothing in this section shall be construed to require the forfeiture or revocation of any alcoholic beverages license issued and outstanding on June 1, 1951. In any election district in which the quota is exceeded as of that date, the total number of licenses shall be reduced from time to time only by the voluntary relinquishment of licenses by the licensees, or by the workings of other provisions of this article; and no new license shall be issued in any election district unless such issue may be made without exceeding the quota as established hereinabove in this section.

(e) No alcoholic beverage license issued in Cecil County shall, by virtue of its issuance to any person or persons, thereby vest in such person or persons any property right whatever in and to such license.

(f) Notwithstanding the provisions of this section the holder of any license issued for premises substantially destroyed by fire, explosion, or catastrophe, or taken by condemnation or by the exercise of the power of eminent domain, may transfer the license to other premises within the same election district, with the approval of the Board of License Commissioners. In the event the holder of any premises destroyed as provided above shall not request transfer of the license within six (6) months from date of loss as above provided, the license shall expire and shall be available to issue to an applicant therefor.

(g) In granting any new license of any class, including any beer, wine and liquor license, not in excess of the number of licenses permitted by this section in any election district, the Board of License Commissioners shall not give any special preference, it being the intent of this section that persons holding any class of beer or beer and wine license shall receive the same consideration as any other applicant for any class of beer, wine and liquor license.

(h) Any premises in Cecil County to which a license has been issued shall be open for at least 30 continuous days during the period of one year, and sales of alcoholic beverages shall be made during this 30-day period or the license shall be revoked. Upon a showing of grounds of hardship on the part of the licensee prior to the time

of revocation the Board may in its discretion allow the licensee an additional period of not to exceed one year before the license is revoked.

(i) In Cecil County the Board of License Commissioners may approve the issue of an additional license, to be known as a motel-restaurant complex or hotel-restaurant complex license, covering “on-sales” of beer, wine and liquor to any person. The fee for any such license shall be fifteen hundred dollars (\$1,500.00) annually. Such licenses shall be issued only to the person, firm, or corporation owning or leasing motel-restaurant complexes or hotel-restaurant complexes that have a capital investment of not less than \$1,000,000 in the buildings excluding the land and an enclosed dining room which serves full-course meals from menus at least twice daily. The license holder shall be responsible for full compliance with all applicable statutes, ordinances and regulations, notwithstanding any lease or contractual provisions to the contrary.

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