Article - Alcoholic Beverages

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§8–211.

(a) The provisions of this section apply only in Frederick County.

(b) (1) This subsection does not apply to a Class 8 farm brewery license issued under § 2–209 of this article.

(2) A license for the sale of alcoholic beverages authorized by this article may not be issued for any place of business located in any of the following election districts:

(i) Catoctin (6th);

(ii) Hauvers (10th);

(iii) Jackson (16th);

(iv) Linganore (19th); and

(v) Except as provided in paragraph (3) of this subsection, Ballenger (23rd).

(3) Licenses that may be issued for an establishment in the Ballenger election district are:

(i) A Class 7 micro–brewery license under § 2–208 of this article;

(ii) A Class B–CC license under § 6–201(l)(8) of this article;

(iii) A Class B license under § 6–201(l)(9) of this article; or

(iv) A Class MEC license under § 6–201(l)(10) of this article.

(c) (1) Except as provided in paragraph (2) of this subsection, Class A, B, and C licenses for the sale of beer only, as authorized by this article, shall be issued for places of business located in any of the following election districts:

(i) Jefferson (14th);

(ii) Johnsville (17th); and

(iii) Burkittsville (22nd).

(2) The Board of License Commissioners may issue a Class B–CI (country inn) on–sale beer, wine and liquor license for the use of an establishment that meets the requirements of § 6–201(l)(7)(i) of this article in the Burkittsville (22nd) election

district.

(d) Class A, B, and C licenses for the sale of beer and light wine and A, B, and C licenses for the sale of beer, wine and liquor, as authorized by this article, shall be issued for places of business located in any of the following election districts:

(1) Buckeystown (1st);

(2) Frederick (2nd);

(3) Creagerstown (4th);

(4) Emmitsburg (5th);

(5) Urbana (7th);

(6) Liberty (8th);

(7) New Market (9th);

(8) Woodsboro (11th);

(9) Petersville (12th);

(10) Mt. Pleasant (13th);

(11) Thurmont (15th);

(12) Woodville (18th);

(13) Lewistown (20th);

(14) Tuscarora (21st);

(15) Braddock (24th);

(16) Brunswick (25th); and

(17) Walkersville (26th).

(d–1) (1) The Board of License Commissioners may issue within the municipal boundaries of the municipal corporation of Middletown:

(i) Class A, B, or C beer licenses;

(ii) Class B beer, wine and liquor (on–sale) licenses if the licensed premises derive at least 70% of its monthly gross revenue from the sale of food; or

(iii) Middletown Wine Festival licenses.

(2) In all other areas of the Middletown (3rd) election district, the Board of License Commissioners may only issue:

(i) Class A, B, or C beer licenses; or

(ii) Middletown Wine Festival licenses.

(e) Class C licenses for the sale of beer, wine and liquor, as authorized by this article, shall be issued for places of business located in the 3rd election district.

(f) (1) Notwithstanding any other provisions of this section, wine may be sold as provided under a winery license, a limited winery license, or a Class A light wine license in any election district.

(2) A holder of a limited winery license may provide tables and chairs on the premises of the licensed facility for the sale, by the glass, of wine and pomace brandy made at the facility to a person who participates in a guided tour of the facility or attends a scheduled promotional event or other organized activity at the licensed premises.

(g) (1) The restrictions in this section and in § 7–101(g) of this article do not apply to licenses issued pursuant to this subsection.

(2) The following entities may obtain a license for the sale of beer, wine and liquor:

(i) Middletown Volunteer Fire Company;

(ii) Wolfsville Volunteer Fire Company;

(iii) Jefferson Volunteer Fire Company; and

(iv) Myersville Volunteer Fire Company.

(3) All net proceeds from the sale of alcoholic beverages for the entities listed in paragraph (2) of this subsection shall be used solely to purchase fire and rescue equipment, for operating expenses, and for constructing and maintaining the buildings which house the emergency equipment.

(g–1) (1) The restrictions in this section and in § 7–101(g) of this article do not apply to licenses issued under this subsection.

(2) The Board of License Commissioners may issue a license for the sale of beer, wine, and liquor for consumption on the premises only to an organization located in the county that is a bona fide:

(i) Religious organization;

(ii) Fraternal organization;

(iii) Civic organization;

(iv) War veterans' organization; or

(v) Patriotic organization.

(3) All net proceeds from the sale of alcoholic beverages by an organization licensed under paragraph (2) of this subsection shall be used solely for charitable purposes or otherwise to further the purposes of the organization.

(h) (1) Notwithstanding the restrictions in this section and in § 7–101(g) of this article, the Board of License Commissioners may issue a one–day special beer, wine, and liquor license to St. Katharine Drexel Roman Catholic Congregation, Inc.

(2) All net proceeds from the sale of alcoholic beverages for St. Katharine Drexel Roman Catholic Congregation, Inc., under paragraph (1) of this subsection shall be used to fund building construction or for charitable purposes.

(i) (1) Notwithstanding the restrictions in this section and in § 7–101(g) of this article, the Board of License Commissioners may issue a one–day special Class C beer and light wine license and a one–day special Class C beer, wine and liquor license to Holy Family Catholic Community.

(2) All net proceeds from the sale of alcoholic beverages for Holy Family Catholic Community under paragraph (1) of this subsection shall be used to fund building construction or for charitable purposes.

(j) Notwithstanding the restrictions in this section and in § 7–101(g) of this article, the Board of License Commissioners may issue Class C (golf and country club) licenses for places of business in the 16th election district.

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