

Article - Alcoholic Beverages

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§9–204.3.

(a) (1) Except as otherwise provided in this section, in Baltimore City, no new license, or removal of an existing license, shall be granted to sell alcoholic beverages in any building located within 300 feet of the nearest point of the buildings of a church or school, but the license of any person now holding a license for any building located within such distance of the building grounds of a church or school may be renewed or extended for the same building.

(2) In the 45th Legislative District in Baltimore City, a new Class A license of any type may not be issued for the sale of alcoholic beverages in a building located within 500 feet of the nearest point of the building of a place of worship or school.

(b) The restrictions regarding distance in subsection (a)(1) of this section do not apply to the following licenses, which may be issued within the 300 feet limitation:

- (1) Except in the 46th Legislative District, Class B beer and wine;
- (2) Except in the 46th Legislative District, Class B beer, wine and liquor;
- (3) Class C beer and wine; and
- (4) Class C beer, wine and liquor.

(c) Except in the 46th Legislative District, the governing body of any church in writing may waive the restrictions of this section regarding licenses not specified in subsection (b) with respect to cafes or restaurants located within 250 feet of a theater having a capacity of not less than 300 seats, which theater is operated by a nonprofit theater association.

(d) (1) This subsection applies only to an area bounded by:

(i) High Street on the west, Fawn Street on the north, Central Avenue on the east, and Eastern Avenue on the south; or

(ii) West Cross Street and Amity Street on the west, Clifford Street on the north, Scott Street on the east, and Carroll Street on the south.

(2) The Board of Liquor License Commissioners for Baltimore City may waive the restrictions of this section regarding distance in subsection (a)(1) of this section for an application for a license transfer into an area specified in paragraph (1) of this subsection if:

- (i) The application is approved by:

1. Each community association representing the area;
2. Each business association in the area; and
3. The pastor and church board of directors or pastoral council for each church within 300 feet of the proposed location for the establishment for which the license transfer is sought; and

(ii) A memorandum of understanding is executed by the applicant for the license transfer and each community association in the area.

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