

Article - Alcoholic Beverages

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§9–209.

(a) This section applies only in Charles County.

(b) (1) Except as provided in paragraph (2) of this subsection, the Board of License Commissioners may not issue more than 1 of any class of alcoholic beverages license with an off–sale privilege for each unit of 1,350 people, based on the resident population figures of the last federal census, within each election district in the county.

(2) In the sixth election district, the Board of License Commissioners may not issue more than one of any class of alcoholic beverages license with an off–sale privilege for each unit of 2,700 people, based on the resident population figures of the last federal census.

(3) A license issued under this subsection may not be transferred from one election district to another.

(4) (i) This subsection may not be construed to require the forfeiture or revocation of any alcoholic beverages license issued and outstanding on October 1, 1992.

(ii) 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, by bankruptcy, or by the workings of other provisions of this article. A new license may not be issued in any election district unless the issue may be made without exceeding the quota provided for in this subsection.

(c) When application for a liquor license is made to sell alcoholic beverages in a building which is not completed, the Board of License Commissioners may give tentative approval of the application on the basis of plans and specifications accompanying the application. Upon completion of the building in accordance with the plans and specifications, the Board may issue the license.

(d) (1) Except as provided in paragraphs (2) and (3) of this subsection, the Board of License Commissioners may not issue any license:

(i) With an on–sale privilege, to sell alcoholic beverages in any building the nearest wall of which measured in a direct line is within 500 feet of the property line of any school accredited by the State Board of Education; and

(ii) With an off–sale privilege, to sell alcoholic beverages in any building the nearest wall of which measured in a direct line is within 1,000 feet of the property line of any school accredited by the State Board of Education.

(2) This subsection is not applicable in the event the school locates its building within 500 feet of any licensed premises after the licensed premises are located there.

(3) This subsection does not apply to a Class B (on-sale) beer, wine and liquor license that is issued for a premises located in a municipal corporation in Charles County.

(e) Subsections (c) and (d) of this section do not apply to, affect, or prohibit, in any manner, the renewal or transfer of any license issued prior to May 1, 2014.

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