Article - Alcoholic Beverages

§3–201.

(a) (1) A Class B license shall be issued by the license issuing authority of the county in which the place of business is located. The holder of the license may keep for sale and sell beer at retail at any hotel or restaurant at the place described in the license for consumption on the premises or elsewhere.

(2) The annual fee for the license shall be paid to the local collecting agent before any license is issued, for distribution as provided.

(b) This section does not apply to Allegany County.

(c) This section does not apply in Anne Arundel County.

(d) This section does not apply to Baltimore City.

(e) This section does not apply to Baltimore County.

(f) In Calvert County the annual license fee is $250.

(g) In Caroline County the annual license fee is $250.

(h) In Carroll County the annual license fee is $130.

(i) In Cecil County the annual license fee is $75.

(j) This section does not apply in Charles County.

(k) In Dorchester County the annual license fee is $250.

(l) (1) This subsection applies only in Frederick County.

(2) The annual license fee is $130.

(3) (i) The area of the licensed premises normally used as a restaurant for the preparation and consumption of food and beverages on the premises may occupy no less than 80 percent of the square foot area, except for recreational use premises such as bowling alleys and pool halls.

(ii) The provisions of this paragraph of this subsection do not apply to or affect any licensee that had a license on December 31, 1993, or to any person who has a permit for a building that was under construction on that date.

(m) (1) This subsection applies only in Garrett County.

(2) The Board of License Commissioners may issue a Class B beer license for use in:

(i) A bona fide hotel, motel, or inn that:

1. Accommodates the public;

2. Provides services ordinarily found in hotels, motels, or inns;

3. Is equipped with at least 10 bedrooms for public accommodation; and

4. Has a lobby with a registration and mail desk and seating facilities; or

(ii) A restaurant that:

1. Has a seating capacity at tables, not including seats at bars or counters, for at least 20 persons; and

2. Can prepare and serve full–course meals for at least 20 persons at one seating.

(3) The Board of License Commissioners may issue the license with or without a catering option.

(4) A holder of a license without a catering option may sell beer for consumption on or off the licensed premises.

(5) (i) In addition to exercising the privileges stated in paragraph (4) of this subsection, a holder of the license with a catering option may keep for sale and sell beer for consumption at events that the holder caters off the licensed premises.

(ii) To exercise the catering option, a holder of a license:

1. Shall provide food if the holder provides beer at a catered event off the licensed premises; and

2. May exercise the catering option only during the hours and days that are allowed under the license.

(6) For a license without a catering option:

(i) The issuing fee is $150; and

(ii) The annual fee is $150.

(7) For a license with a catering option:

(i) The issuing fee is $250; and

(ii) The annual fee is $250.

(8) The Board of License Commissioners may adopt regulations to carry out this subsection.

(n) This section does not apply in Harford County.

(o) (1) In Howard County the annual license fee is $150.

(2) A restaurant as defined in § 1-102(a)(22) of this article may apply for a Class B beer license.

(p) In Kent County the annual license fee is $300.

(q) (1) In Montgomery County the annual license fee is $250.

(2) (i) In this paragraph (2), "establishment" means a bowling alley, billiard hall, or drugstore or a restaurant located within these businesses.

(ii) A license may not be issued to, or for use in conjunction with, or upon the premises of any establishment or for use upon any premises which has a door, archway, opening or other passageway providing direct public access to any establishment.

(r) (1) In Prince George's County the annual license fee is $365.

(2) Notwithstanding the provisions of subsection (a) of this section, the Board of License Commissioners for Prince George's County may not issue any Class B beer license with other than the privilege of selling beer for consumption on the licensed premises (on–sale only). However, licensees holding this class of license prior to July 1, 1975, who have been exercising the privilege of selling beer for consumption off the licensed premises may continue to exercise this privilege.

(s) In Queen Anne's County the annual license fee is $250.

(t) This section does not apply to St. Mary's County.

(u) In Somerset County the annual license fee is $253.

(v) (1) In Talbot County the annual license fee is $250.

(2) Section 18-101 of this article permits the Talbot County Council to provide for the retail alcoholic beverage laws for the county which, if enacted, supersede the provisions of this article.

(w) In Washington County, the annual license fee for a license with:

(1) On–sale privileges, as provided for under § 8–222.1 of this article, is $50; or

(2) On– and off–sale privileges is $350.

(x) (1) In Wicomico County the annual license fee is $275.

(2) (i) This license may be issued only for a hotel or restaurant that has the average daily receipts from the sale of food for each month exceed the average daily receipts from the sale of alcoholic beverages.

(ii) In calculating average daily receipts from the sale of food, an allocation of foodstuff contained in a mixed drink may not be included in average daily receipts from the sale of food.

(y) (1) This subsection applies in Worcester County.

(2) The annual six-day license fee is $275.

(3) The annual seven-day license fee, applied countywide (exclusive of the tenth election district), is $350.

(4) The annual seven-day license fee, for the tenth election district only, is $350.

(5) The hours for sale are as provided in § 11-524 of this article.