Article - Alcoholic Beverages

§8–217.

(a) (1) In Prince George's County it is unlawful for any person under the age of 18 years for any purpose, between the hours of 10:00 p.m. and 6:00 a.m., to enter or to remain upon any portion of the premises of the holder of any Class B or Class D beer, or beer and light wine license where the privileges conferred by the license are exercised, unless the person is in the immediate company of at least one of his parents, or of his legal guardian, or spouse.

(2) In Prince George's County, in addition to the other powers and duties conferred upon them, the Board of License Commissioners may prescribe such rules and regulations as they deem necessary, regarding the presence of any person under the age of 21 years on any premises licensed to sell alcoholic beverages, in addition to or in lieu of the provisions stated in this section; and, the Board shall prescribe and have the power to enforce such rules and regulations as it may adopt for regulating the conduct of business by licensees and their employees and licensed premises in relation to the sale and consumption of alcoholic beverages, and for requiring the maintenance of records on the licensed premises by the license holder containing the names, addresses and ages of all persons employed by the licensee on the premises and such other regulations as may be deemed necessary for maintenance of standards for sanitation and health, including provisions for adequate and sanitary facilities for consumption of alcoholic beverages, for safe water and plumbing facilities, for proper utensil cleaning and storage, for refuse disposal and rodent control and for the preparation and service of meals or food with alcoholic beverages.

(3) In Prince George's County it is unlawful for any person under the age of 21 years to purchase alcoholic beverages, or to enter the premises of any holder of any alcoholic beverages license for the purpose of obtaining alcoholic beverages or to misrepresent his age for the purpose of obtaining alcoholic beverages, or to have alcoholic beverages on or about his person. It is unlawful for any person to misrepresent the age of a person under the age of 21 years for the purpose of obtaining alcoholic beverages for such person, or for any person to obtain alcoholic beverages for the use of a person under the age of 21 years.

(4) In Prince George's County, in addition to the other powers and duties conferred upon them, the Board of License Commissioners may prescribe rules and regulations concerning the granting and the date of issuing licenses when the actual use of the license is to be deferred until the completion of construction work or alteration on the premises; and further, said Board may prescribe rules and regulations concerning alterations and additions to any licensed premises and the use thereof; the provisions hereof shall not be construed to prevent the issuance, or renewal, of a license previously issued, or authorized for issuance, where the premises licensed or to be licensed are under construction or the alterations to be made therein are in progress.

(5) Notwithstanding any other provisions of this section, a person shall be entitled to enter or remain upon any portion of the premises of the holder of a license

granted under this article regardless of age, provided that there is operated thereon a bona fide bowling alley and that such bowling alley is then in use.

(b) A person or persons or body corporate may not sell directly or indirectly at any place within the corporate limits of the City of Hyattsville, or give away at any place of business in the City, any alcoholic beverages or any intoxicating drinks of any kind other than beer, light wine and on-sale liquor, the liquor being only for consumption on the immediate premises of a Class B license. The Board of License Commissioners for Prince George's County may not issue any license, for the sale of any alcoholic beverages or intoxicating drinks of any kind, within the limits of the City of Hyattsville, other than beer, light wine and on-sale liquor, the liquor being only for consumption on the immediate premises of a Class B license, except that the Board may transfer one Class B beer, wine and liquor license with an off-sale privilege, as defined in § 6-201(r) of this article, for use within the corporate limits of the City of Hyattsville, for which the licensee shall pay an annual fee of $1,500.

(c) Repealed.

(d) Notwithstanding any other law to the contrary, the Prince George's County Board of License Commissioners may not issue any class of alcoholic beverages license for use in a business establishment with a commercial fuel pump located on the premises that is used by the general public for the purchase of fuel.

(e) (1) In Prince George's County, if two corporations with direct or indirect interests in alcoholic beverages licenses for use by restaurants undergo a merger, consolidation, or share exchange that results in a single successor corporation during the time period beginning on September 1, 2007 and ending on June 1, 2008, the total number of alcoholic beverages licenses that the successor corporation may hold is the sum of the licenses held by the two corporations after the successor corporation was formed if the number of licenses held is 8 or less.

(2) An indirect interest in a license is evidenced by any of the following relationships involving the licensee and another licensee or the licensee and an applicant for a license:

(i) A common parent company;

(ii) A franchise agreement;

(iii) A licensing agreement;

(iv) A concession agreement;

(v) Membership by the licensee and the other person in a chain of businesses commonly owned and operated and so portrayed to the public;

(vi) Sharing of directors or stockholders or sharing of directors or stockholders of parent companies or subsidiaries;

(vii) Common direct or indirect sharing of profit from the sale of alcoholic beverages; or

(viii) Sharing of a common trade name, trademark, logo, theme, or mode of operation identifiable by the public, except hotels and motels.