

Chapter 112

(House Bill 228)

AN ACT concerning

Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License

FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to issue a Class B–D–7 license in certain areas of the 45th alcoholic beverages district if the applicant meets certain requirements; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 12–102 and 12–1603(a) and (b)
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 12–1603(c)
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

12–102.

This title applies only in Baltimore City.

12–1603.

(a) The alcoholic beverages districts described in this section at all times are coterminous with the legislative districts in the Legislative Districting Plan of 2002 as ordered by the Maryland Court of Appeals on June 21, 2002.

(b) Except as provided in subsection (c) of this section, the Board may not issue a new license in:

- (1) the 40th alcoholic beverages district;
- (2) the 41st alcoholic beverages district;

- (3) the 43rd alcoholic beverages district;
- (4) the 44th alcoholic beverages district; and
- (5) the 45th alcoholic beverages district.

(c) The Board may issue:

(1) in the alcoholic beverages districts specified in subsection (b) of this section:

- (i) a 1-day license; or
- (ii) a Class B beer, wine, and liquor license to a restaurant that:

1. has a minimum capital investment, not including the cost of land and buildings, of \$200,000 for restaurant facilities; and

2. has a minimum seating capacity of 75 individuals;

(2) a Class C beer, wine, and liquor license in the 45th alcoholic beverages district;

(3) a Class C beer, wine, and liquor license in ward 5, precinct 1 of the 44th alcoholic beverages district;

(4) a Class C beer, wine, and liquor license in the 200 block of West Saratoga Street in ward 4, precinct 3 of the 40th alcoholic beverages district;

(5) a Class B-D-7 license in the unit block of West North Avenue in the 45th alcoholic beverages district;

(6) two Class B-D-7 licenses in the 2100 block of North Charles Street in the 43rd alcoholic beverages district;

(7) two Class B-D-7 licenses in the 2100 block of Maryland Avenue in the 43rd alcoholic beverages district; [and]

(8) subject to the requirements under subsection (e) of this section, four Class B-D-7 licenses in the 43rd alcoholic beverages district; **AND**

(9) A CLASS B-D-7 LICENSE IN THE 5400 BLOCK OF HARFORD ROAD IN THE 45TH ALCOHOLIC BEVERAGES DISTRICT IF:

(I) AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD ARE AT

LEAST 65% OF THE APPLICANT'S TOTAL DAILY RECEIPTS;

(II) THE APPLICANT EXECUTES A MEMORANDUM OF UNDERSTANDING WITH A COMMUNITY ASSOCIATION;

(III) THE APPLICANT DOES NOT CREATE A SEPARATE PACKAGE GOODS DEPARTMENT;

(IV) ALCOHOLIC BEVERAGES ARE SERVED TO PATRONS SEATED AT TABLES; AND

(V) ALCOHOLIC BEVERAGES ARE SERVED ONLY WITH MEALS TO PATRONS PROVIDED WITH OUTDOOR TABLE SERVICE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.