

Chapter 186

(House Bill 377)

AN ACT concerning

Montgomery County – Alcoholic Beverages – Consumption Only Marketplace License

MC 11–20

FOR the purpose of establishing in Montgomery County a consumption only marketplace license; authorizing the Board of License Commissioners to issue the license to the developer of a commercial shopping center if the commercial shopping center meets certain criteria; authorizing the license holder to allow the consumption of beer, wine, and liquor in a designated outdoor area if the beer, wine, or liquor is purchased from certain establishments; requiring a developer to include certain information in the license application; providing for the hours of consumption for the license; establishing an annual license fee; defining a certain term; and generally relating to a consumption only marketplace license in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Alcoholic Beverages
Section 25–102
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

BY adding to
Article – Alcoholic Beverages
Section 25–1004.1
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

25–102.

This title applies only in Montgomery County.

25–1004.1.

(A) IN THIS SECTION, “SHOPPING CENTER” MEANS ANY COMBINATION OF ~~PRIVATELY OWNED~~ PRIVATELY OWNED COMMERCIAL, PROFESSIONAL, OR RETAIL

ESTABLISHMENTS TO WHICH THE GENERAL PUBLIC IS INVITED FOR BUSINESS PURPOSES.

(B) THERE IS A CONSUMPTION ONLY MARKETPLACE LICENSE.

(C) THE BOARD MAY ISSUE A CONSUMPTION ONLY MARKETPLACE LICENSE TO THE DEVELOPER OF A COMMERCIAL SHOPPING CENTER IF THE COMMERCIAL SHOPPING CENTER:

(1) ENCOMPASSES AN AREA OF AT LEAST 10 ACRES;

(2) INCLUDES AT LEAST ONE ESTABLISHMENT FOR WHICH A CLASS B LICENSE, CLASS BD–BWL LICENSE, CLASS D–BWL LICENSE, OR CLASS H LICENSE HAS BEEN ISSUED; AND

(3) CONTAINS A DESIGNATED OUTDOOR AREA FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES.

(D) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO ALLOW THE CONSUMPTION OF BEER, WINE, AND LIQUOR IN A DESIGNATED OUTDOOR AREA LOCATED WITHIN THE COMMERCIAL SHOPPING CENTER IF THE BEER, WINE, OR LIQUOR IS PURCHASED AT AN ESTABLISHMENT:

(1) THAT IS LOCATED WITHIN THE COMMERCIAL SHOPPING CENTER;

(2) FOR WHICH A CLASS B LICENSE, CLASS BD–BWL LICENSE, OR CLASS H LICENSE HAS BEEN ISSUED;

(3) IS CONTIGUOUS TO THE DESIGNATED OUTDOOR AREA; AND

(4) THAT USES CONTAINERS BRANDED WITH AN IDENTIFYING MARK OF THE SELLER.

(E) AS PART OF THE LICENSE APPLICATION, A DEVELOPER SHALL INCLUDE:

(1) A DESCRIPTION OF THE DESIGNATED OUTDOOR AREA AND A LIST OF THE CONTIGUOUS LICENSE HOLDERS WHOSE BEER, WINE, AND LIQUOR MAY BE CONSUMED IN THE DESIGNATED OUTDOOR AREA; AND

(2) A SECURITY PLAN THAT HAS BEEN APPROVED BY THE MONTGOMERY COUNTY ~~POLICE~~ DEPARTMENT OF POLICE.

(F) THE LICENSE HOLDER MAY ALLOW THE CONSUMPTION OF BEER, WINE, AND LIQUOR IN THE DESIGNATED OUTDOOR AREA ON MONDAY THROUGH SUNDAY, FROM 11 A.M. TO 11 P.M.

(G) THE ANNUAL LICENSE FEE IS \$4,000.

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.