
By: Delegates McIntosh, Campbell, Rosenberg, Marriott, Fulton, and Rawlings

Introduced and read first time: January 31, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages**
3 **(Local Hours and Days for Sale)**

4 FOR the purpose of authorizing the Baltimore City Board of License Commissioners, by
5 regulation, to restrict the hours and days for the sale and consumption of alcoholic
6 beverages in a certain area of the City; and generally relating to alcoholic beverages
7 in Baltimore City.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 11-301, 11-302, 11-303, and 11-305
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1995 Supplement)

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

15 **Article 2B - Alcoholic Beverages**

16 11-301.

17 (a) (1) The hours during which the privileges conferred by a Class Abeer
18 license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight, on every day
19 except Sunday.

20 (2) In Montgomery County the hours shall be as provided in § 11-516(d)(1).

21 (3) In Prince George's County the hours shall be from 6 o'clock a.m. to 2
22 o'clock a.m. on the day following, except on Sunday when no sales shall be permitted after
23 2 o'clock a.m.

24 (4) In Frederick County, on Sunday the hours of operation may be from 1
25 o'clock p.m. to 12 midnight.

26 (5) In Washington County, the hours of sale are as provided under § 11-522
27 of this article.

28 (b) (1) The hours during which the privileges conferred by a Class Bbeer
29 license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight.

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1 (2) In Montgomery County the privilege may be exercised from 9 o'clock
2 a.m. on any day to 1 o'clock a.m. on the day following for on-sale.

3 (3) In Prince George's County the hours shall be from 6 o'clock a.m. to 2
4 o'clock a.m. on the day following.

5 (c) (1) The hours during which the privileges conferred by a Class C beer
6 license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight.

7 (2) In Montgomery County, there shall be no sale before 11 o'clock a.m.

8 (3) In Caroline County, alcoholic beverages may be sold under the license
9 from 6 o'clock a.m. until 2 o'clock a.m. the following day.

10 (4) In Prince George's County, the hours shall be from 6 o'clock a.m. to 2
11 o'clock a.m. on the day following.

12 (d) (1) The hours during which the privileges conferred by a Class D beer
13 license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight.

14 (2) In Caroline County the hours shall be from 6 a.m. Monday through
15 Saturday until 1 a.m. the following day (including Sunday).

16 (3) In Kent County the hours of sale are as provided under § 11-515 of this
17 article.

18 (4) In Montgomery County the hours shall be from 9 o'clock a.m. on any day
19 to 1 o'clock a.m. on the day following for on-sale.

20 (5) In Prince George's County the hours shall be from 6 o'clock a.m. to 2
21 o'clock a.m. on the day following.

22 (e) The hours during which the privileges conferred by a Class H beer license may
23 be exercised shall be from 9 o'clock a.m. to 12 o'clock midnight, except in Montgomery
24 County the privilege may be exercised from 9 o'clock a.m. to 1 o'clock a.m. on the day
25 following.

26 (f) In Wicomico County, the hours for exercising on a Sunday the privileges
27 conferred by a seven day, Class A (off-sale) beer license shall be the same as for the other
28 days of the week.

29 (G) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY ON THE INNER
30 PARAMETER OF A RECTANGLE BOUNDED BY 31ST STREET ON THE SOUTH,
31 GREENMOUNT AVENUE ON THE EAST, 32ND STREET ON THE NORTH, AND BARCLAY
32 STREET ON THE WEST.

33 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY
34 RESTRICT THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF BEER.

35 11-302.

36 (a) (1) The hours during which the privileges conferred by a Class A beer and
37 light wine license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight, on
38 every day except Sunday.

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1 (2) In Montgomery County the hours shall be as provided in § 11-516(d)(1).

2 (3) In Prince George's County the hours shall be from 6 o'clock a.m. to 2
3 o'clock a.m. on the day following except on Sunday when no sales shall be permitted after
4 2 o'clock a.m.

5 (4) In Frederick County, on Sunday the hours of operation may be from 1
6 p.m. to 12 midnight.

7 (b) (1) The hours during which the privileges conferred by a Class Bbeer and
8 light wine license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight.

9 (2) In Baltimore City, in Prince George's County and in Baltimore County
10 the hours shall be from 6 o'clock a.m. to 2 o'clock a.m. on the day following.

11 (3) In Montgomery County, except as provided in § 11-516 of this article,
12 the privilege may be exercised from 9 o'clock a.m. on any day to 1 a.m. on the day
13 following for on-sale.

14 (c) (1) The hours during which the privileges conferred by a Class Cbeer and
15 light wine license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight.

16 (2) In Baltimore City, in Prince George's County, and in Baltimore County,
17 the hours shall be from 6 o'clock a.m. to 2 o'clock a.m. on the day following.

18 (3) In Montgomery County, except as provided in § 11-516 of this article,
19 there shall be no sale before 11 o'clock a.m.

20 (d) (1) The hours during which the privileges conferred by a Class Dbeer and
21 light wine license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight.

22 (2) In Baltimore City the hours shall be from 6 o'clock a.m. to 1 o'clock a.m.
23 on the day following.

24 (3) In Baltimore County the hours shall be from 6 a.m. to 2 a.m. Monday
25 through Sunday.

26 (4) In Montgomery County, except as provided in § 11-516 of this article,
27 the privilege may be exercised from 9 o'clock a.m. on any day to 1 o'clock a.m. on the day
28 following for on-sale.

29 (5) In Prince George's County the hours shall be from 6 o'clock a.m. to 2
30 o'clock a.m. on the day following.

31 (6) In Wicomico County, notwithstanding the provisions of paragraph (1) of
32 this subsection, the privilege may be exercised on Sunday from 12 noon to 12 midnight
33 only by bowling alleys as defined in § 1-102(b)(3) of this article.

34 (e) Except in Caroline and Montgomery Counties, the hours during which the
35 privileges conferred by a Class H beer and light wine license may be exercised shall be
36 from 9 o'clock a.m. to 12 o'clock midnight. In Caroline County the hours during which the
37 privileges conferred by a Class H beer and light wine license may be exercised shall be
38 from 6:00 o'clock a.m. to 2:00 o'clock a.m. the following day, and in Montgomery County

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1 the privilege may be exercised from 9 o'clock a.m. on any day to 1 o'clock a.m. on the day
2 following.

3 (f) In Wicomico County, the hours for exercising on a Sunday the privileges
4 conferred by a seven day, Class A (off-sale) beer and light wine license shall be the same
5 as for the other days of the week.

6 (g) In Kent County, the hours for exercising the privileges conferred by a seven
7 day, Class A (off-sale) beer and light wine license are as provided under § 11-515 of this
8 article.

9 (H) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY ON THE INNER
10 PARAMETER OF A RECTANGLE BOUNDED BY 31ST STREET ON THE SOUTH,
11 GREENMOUNT AVENUE ON THE EAST, 32ND STREET ON THE NORTH, AND BARCLAY
12 STREET ON THE WEST.

13 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY
14 RESTRICT THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF BEER AND
15 LIGHT WINE.

16 11-303.

17 (a) (1) The hours during which the privileges conferred by a Class A beer, wine
18 and liquor license may be exercised shall be from 6 o'clock a.m. to 12 o'clock midnight, on
19 every day except Sunday.

20 (2) The provisions of paragraph (1) are superseded as follows:

21 (i) In Annapolis the hours may be fixed by the Mayor, Counselor and
22 Aldermen of the City of Annapolis;

23 (ii) In Talbot County the hours shall be from 8 o'clock a.m. to 12
24 o'clock midnight;

25 (iii) In St. Mary's County holders of a Class A-1 license shall be
26 entitled to sell on Sunday;

27 (iv) In Frederick County holders of a Class A beer, wine and liquor
28 (off-sale) license may sell beer, wine and liquor for off-premises consumption on
29 Sundays from 1 p.m. to 12 o'clock midnight if they hold a special Sunday opening permit;
30 and

31 (v) In Kent County the provisions of § 11-515 apply.

32 (b) (1) The hours during which the privileges conferred by a Class B beer, wine
33 and liquor license may be exercised are from 6 o'clock a.m. to 2 o'clock a.m. on the day
34 following.

35 (2) In Annapolis the hours shall be as fixed by the Mayor, Counselor and
36 Aldermen of the City of Annapolis.

37 (3) In Montgomery County, except as provided in § 11-516 of this article,
38 the hours are from 9 o'clock a.m. on any day to 1 o'clock a.m. on the day following.

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1 (4) In the 47th alcoholic beverages district in Baltimore City, the hours for
2 off-sales under a Class B beer, wine and liquor license for use in a restaurant are as
3 provided for in § 6-201(d) of this article.

4 (c) (1) The hours during which the privileges conferred by a Class C beer, wine
5 and liquor license may be exercised shall be from 6 o'clock a.m. to 2 o'clock a.m. the day
6 following.

7 (2) In Annapolis, the hours shall be as fixed by the Mayor, Counselor and
8 Aldermen of Annapolis.

9 (3) In Kent County the hours of sale are as provided under § 11-515 of this
10 article.

11 (4) In Montgomery County, the hours of sale are as provided in § 11-516 of
12 this article.

13 (d) (1) The hours during which the privileges conferred by a Class D beer, wine
14 and liquor license may be exercised are from 6 a.m. to 12 midnight.

15 (2) In Baltimore City the hours are from 6 a.m. to 1 a.m.

16 (3) In Caroline County the hours are from 6 a.m. Monday through Saturday
17 until 1 a.m. the following day (including Sunday).

18 (4) In Baltimore County the hours are from 6 a.m. to 2 a.m.

19 (5) In Queen Anne's County the hours on Monday through Saturday are
20 from 6 a.m. to 2 a.m. the following day.

21 (6) In Wicomico County the hours are from 10 a.m. to 2 a.m., Monday
22 through Saturday. Where sales are permitted until 2 a.m., alcoholic beverages may not be
23 consumed after 2:30 a.m., at which time all tables and bar areas shall be cleared of all
24 alcoholic beverages.

25 (E) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY ON THE INNER
26 PARAMETER OF A RECTANGLE BOUNDED BY 31ST STREET ON THE SOUTH,
27 GREENMOUNT AVENUE ON THE EAST, 32ND STREET ON THE NORTH, AND BARCLAY
28 STREET ON THE WEST.

29 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY
30 RESTRICT THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF BEER, WINE
31 AND LIQUOR.

32 11-305.

33 (a) This section applies only in Baltimore City.

34 (b) (1) Except as otherwise provided by law, between 2 a.m. and 6 a.m. on any
35 day, a person may not consume any alcoholic beverages on any premises open to the
36 general public, any place of public accommodation, or any place at which setups or other
37 component parts of mixed alcoholic drinks are sold, whether or not the premises or place
38 is licensed for the sale of alcoholic beverages or has any other license if any form of
39 entertainment, live or recorded, is offered at the place or on the premises.

1 (2) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY ON THE
2 INNER PARAMETER OF A RECTANGLE BOUNDED BY 31ST STREET ON THE SOUTH,
3 GREENMOUNT AVENUE ON THE EAST, 32ND STREET ON THE NORTH, AND BARCLAY
4 STREET ON THE WEST.

5 (II) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS
6 MAY RESTRICT THE HOURS AND DAYS FOR THE CONSUMPTION OF ALCOHOLIC
7 BEVERAGES.

8 (c) The owner, operator, or manager of the premises or place may not knowingly
9 permit the consumption of alcoholic beverages that is prohibited by this section.

10 (d) The owner, operator, or manager of any premises open to the general public
11 or of any place of public accommodation where any form of entertainment is provided
12 between 2 a.m. and 6 a.m. on any day and where alcoholic beverages are consumed at any
13 hour of the day shall:

14 (1) Register with the fire department and the Department of Housing and
15 Community Development; and

16 (2) Comply with all federal, State, and city building, fire, health, and zoning
17 laws.

18 (e) Any person who consumes any alcoholic beverages on any premises
19 enumerated in this section and any owner, operator, or manager of those premises or
20 place who knowingly permits the consumption prohibited by this section is guilty of a
21 misdemeanor and may be fined not more than \$5,000 or imprisoned for not more than 3
22 years or both.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 1996.