
By: Montgomery County Delegation

Introduced and read first time: February 1, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages**
3 **(Pub-Breweries in CBD Sector of Bethesda)**
4 **MC 626-96**

5 FOR the purpose of including the Central Business District area, as specified in the CBD
6 Sector Plan, of the Municipal Corporation of Bethesda in Montgomery County
7 among those jurisdictions in which a pub-brewery license may be issued; and
8 generally relating to alcoholic beverages in Montgomery County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 2-207
12 Annotated Code of Maryland
13 (1994 Replacement Volume and 1995 Supplement)

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

16 **Article 2B - Alcoholic Beverages**

17 2-207.

18 (a) A Class 6 pub-brewery license shall be issued:

19 (1) By the State Comptroller;

20 (2) Only to a holder of a Class B beer, wine and liquor (on-sale) license that
21 is issued for use on the premises of a restaurant located in the jurisdictions listed in
22 paragraph (3) of this subsection; and

23 (3) Only in the following jurisdictions:

24 (i) Anne Arundel County;

25 (ii) Anne Arundel County - City of Annapolis;

26 (iii) Baltimore City;

27 (iv) Baltimore County;

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1 (v) The thirteenth election district of Carroll County;

2 (vi) Cecil County;

3 (vii) Charles County;

4 (viii) Frederick County;

5 (ix) Harford County;

6 (x) Montgomery County[-];

7 1. City of Gaithersburg; AND

8 2. CENTRAL BUSINESS DISTRICT AREA AS SPECIFIED IN THE
9 CBD SECTOR PLAN FOR THE CITY OF BETHESDA;

10 (xi) Washington County; and

11 (xii) Worcester County.

12 (b) A holder of a Class 6 pub-brewery license:

13 (1) May brew malt beverages at a single location for consumption on the
14 restaurant premises; and

15 (2) Is limited to the brewing of 2,000 barrels of malt beverage each calendar
16 year.

17 (c) The pub-brewery premises shall be located immediately adjacent to the
18 restaurant where the brewed beverage is to be sold to the public.

19 (d) The Class 6 pub-brewery license is void if:

20 (1) The restaurant ceases to be operated as a restaurant; or

21 (2) The holder's Class B beer, wine and liquor (on-sale) license is revoked
22 or transferred to a different location.

23 (e) If the holder's Class B beer, wine and liquor (on-sale) license is suspended,
24 the Class 6 pub-brewery license shall be suspended for the same period of time.

25 (f) Except for a license transferred to a new location, a Class 6 pub-brewery
26 license may be transferred under § 10-503 of this article if an application for transfer is
27 filed with the local licensing board and simultaneously filed with the Office of the
28 Comptroller.

29 (g) (1) In the City of Annapolis, Anne Arundel County, Baltimore City,
30 Baltimore County, and Charles County, the holder of a Class 6 pub-brewery license may
31 sell malt beverages for off-premises consumption in sealed refillable containers.

32 (2) The containers may be returned and at the time of refill shall be sealed
33 by the pub-brewery licensee.

34 (3) A holder of a Class 6 pub-brewery license in the City of Annapolis,
35 Anne Arundel County, Baltimore City, Baltimore County, or Charles County, may not sell

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1 malt beverages to any retail alcoholic beverages licensee in this State for the purpose of
2 a subsequent sale or distribution of that malt beverage under the retail license.

3 (h) In Montgomery County, [within the City of Gaithersburg,] a holder of a Class
4 6 pub-brewery license shall enter into a written agreement with the Department of
5 Liquor Control for Montgomery County for the sale and resale of all malt beverages
6 brewed under this license in accordance with this article.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1996.