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**By: Senator Hoffman**

Introduced and read first time: January 25, 1996

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 1996

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CHAPTER \_\_\_\_

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 A beer  
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).

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (4) In Montgomery County the hours shall be from 9 o'clock a.m. on any day  
28 to 1 o'clock a.m. on the day 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 (e) The hours during which the privileges conferred by a Class H beer license may  
32 be exercised shall be from 9 o'clock a.m. to 12 o'clock midnight, except in Montgomery  
33 County the privilege may be exercised from 9 o'clock a.m. to 1 o'clock a.m. on the day  
34 following.

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

1 (G) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY ON THE INNER  
2 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 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY  
6 RESTRICT THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF BEER.

7 11-302.

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

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

12 (3) In Prince George's County the hours shall be from 6 o'clock a.m. to 2  
13 o'clock a.m. on the day following except on Sunday when no sales shall be permitted after  
14 2 o'clock a.m.

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

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

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

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

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

26 (2) ~~IN~~ EXCEPT AS OTHERWISE PROVIDED BY REGULATION ADOPTED  
27 UNDER THE AUTHORITY OF SUBSECTION (H) OF THIS SECTION, IN Baltimore City, in  
28 Prince George's County, and in Baltimore County, the hours shall be from 6 o'clock a.m.  
29 to 2 o'clock a.m. on the day following.

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

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

34 (2) ~~IN~~ EXCEPT AS OTHERWISE PROVIDED BY REGULATION ADOPTED  
35 UNDER THE AUTHORITY OF SUBSECTION (H) OF THIS SECTION, IN Baltimore City the  
36 hours shall be from 6 o'clock a.m. to 1 o'clock a.m. on the day following.

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

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

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

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

9 (e) Except in Caroline and Montgomery Counties, the hours during which the  
10 privileges conferred by a Class H beer and light wine license may be exercised shall be  
11 from 9 o'clock a.m. to 12 o'clock midnight. In Caroline County the hours during which the  
12 privileges conferred by a Class H beer and light wine license may be exercised shall be  
13 from 6:00 o'clock a.m. to 2:00 o'clock a.m. the following day, and in Montgomery County  
14 the privilege may be exercised from 9 o'clock a.m. on any day to 1 o'clock a.m. on the day  
15 following.

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

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

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

26 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY  
27 RESTRICT THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF BEER AND  
28 LIGHT WINE.

29 11-303.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (2) ~~IN~~ EXCEPT AS OTHERWISE PROVIDED BY REGULATION ADOPTED  
28 UNDER THE AUTHORITY OF SUBSECTION (E) OF THIS SECTION, IN Baltimore City the  
29 hours are from 6 a.m. to 1 a.m.

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

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

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

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

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1 (E) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY ON THE INNER  
2 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 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY  
6 RESTRICT THE HOURS AND DAYS FOR THE SALE AND CONSUMPTION OF BEER, WINE  
7 AND LIQUOR.

8 11-305.

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

10 (b) (1) Except as otherwise provided by law OR BY REGULATION ADOPTED  
11 UNDER THE AUTHORITY OF PARAGRAPH (2) OF THIS SUBSECTION, between 2 a.m.  
12 and 6 a.m. on any day, a person may not consume any alcoholic beverages on any  
13 premises open to the general public, any place of public accommodation, or any place at  
14 which setups or other component parts of mixed alcoholic drinks are sold, whether or not  
15 the premises or place is licensed for the sale of alcoholic beverages or has any other  
16 license if any form of entertainment, live or recorded, is offered at the place or on the  
17 premises.

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

22 (II) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS  
23 MAY RESTRICT THE HOURS AND DAYS FOR THE CONSUMPTION OF ALCOHOLIC  
24 BEVERAGES.

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

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

31 (1) Register with the fire department and the Department of Housing and  
32 Community Development; and

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

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

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

