

**By: Senator Hoffman**

Introduced and read first time: January 26, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages**  
3 **(Citywide 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 sale and consumption of alcoholic  
6 beverages in the City; and generally relating to alcoholic beverages in Baltimore  
7 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).

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 B beer  
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.

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

32 11-302.

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

36 (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 p.m. to 12 midnight.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (H) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

8 (2) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS MAY  
9 RESTRICT THE HOURS AND DAYS FOR SALE AND CONSUMPTION OF BEER AND  
10 LIGHT WINE.

11 11-303.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (E) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

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

25 11-305.

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

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

33 (2) (I) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

34 (II) BY REGULATION, THE BOARD OF LICENSE COMMISSIONERS  
35 MAY RESTRICT THE HOURS AND DAYS FOR THE CONSUMPTION OF BEER, WINE AND  
36 LIQUOR.

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

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

5 (1) Register with the fire department and the Department of Housing and  
6 Community Development; and

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

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

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