
By: Senator Derr

Introduced and read first time: January 26, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Alcoholic Beverages**
3 **(Class B-BWL Seating Capacity)**

4 FOR the purpose of deleting the exclusion of seats at bars or counters in the minimum
5 count necessary to be eligible for a Class B beer, wine and liquor license in
6 Frederick County; and generally relating to alcoholic beverages in Frederick
7 County.

8 BY repealing and reenacting, with amendments,
9 Article 2B - Alcoholic Beverages
10 Section 6-201(1)(2)(ii) and (iii)
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 6-201.

17 (1) (2) (ii) Any hotel meeting the minimum requirements of subsection (a)(3)
18 of this section may elect to be issued a license under that subsection, or any bona fide
19 hotel may elect to be issued a license under this subsection if it:

20 1. Is an establishment for the accommodation of the public
21 providing service ordinarily found in hotels;

22 2. Is equipped with not fewer than 25 rooms, a lobby with
23 registration and mail desk, seating facilities and a dining room which serves full-course
24 meals at least twice daily and which has a regular seating capacity at tables [(not
25 including seats at bars or counters)] for 50 or more persons; and

26 3. Is operated in a physical plant which has a valuation for
27 purposes of State and local assessment and taxation of not less than \$20,000 and which
28 has a valuation of personal property for purposes of State and local assessment and
29 taxation of not less than \$3,000. This license in a hotel does not permit sales at bars or

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1 counters, or sales for consumption anywhere except on the premises on which the meals
2 are prepared and served.

3 (iii) This license may be issued to a restaurant which:

4 1. Serves full-course meals at least twice daily;

5 2. Has a regular seating capacity at tables [(not including seats
6 at bars or counters)] for 50 or more persons;

7 3. Is operated in a physical plant which has a valuation for
8 purposes of State and local assessment and taxation of not less than \$40,000 and which
9 has a valuation of personal property for purposes of State and local assessment and
10 taxation of not less than \$5,000. This license in a restaurant permits sales for consumption
11 on the premises on which meals are prepared and served, except in the case of beverages
12 with an alcoholic content of not more than 14.5 percent by volume, which may be sold for
13 off-premises consumption; and

14 4. A. The area of the licensed premises normally used as a
15 restaurant for the preparation and consumption of food and beverages on the premises
16 may occupy no less than 80 percent of the square foot area, except for recreational use
17 premises such as bowling alleys and pool halls.

18 B. The provisions of this sub-subparagraph of this
19 subparagraph do not apply to or affect any licensee that had a license on December 31,
20 1993, or to any person who has a permit for a building that was under construction on that
21 date.

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