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1997 Regular Session  
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**By: Delegates McIntosh, Campbell, Rosenberg, Doory, Curran, Montague, Dypski, Hammen, Harrison, McHale, T. Murphy, Rawlings, Marriott, Fulton, Branch, and Krysiak**

Introduced and read first time: January 27, 1997

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of expanding the authority of the Baltimore City Board of License  
5 Commissioners to restrict, by regulation, the hours and days for the sale and  
6 consumption of alcoholic beverages to include the entire City; and generally relating  
7 to the Baltimore City Board of Licence Commissioners.

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 (1996 Replacement Volume)

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 are from 6 a.m. to midnight, on every day except Sunday.

19 (2) In Frederick County, on Sunday the hours of operation are from 1 p.m.  
20 to midnight.

21 (3) In Montgomery County the hours are as provided in § 11-516(d)(1).

22 (4) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the day  
23 following, except on Sunday when sales are not permitted after 2 a.m.

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

26 (b) (1) The hours during which the privileges conferred by a Class B beer  
27 license may be exercised are from 6 a.m. to midnight.

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

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

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

7 (2) In Caroline County, the hours are from 6 a.m. until 2 a.m. on the  
8 following day.

9 (3) In Montgomery County, sales may not be made before 11 a.m.

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

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

14 (2) In Caroline County the hours are from 6 a.m. Monday through Saturday  
15 until 1 a.m. on 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 for on-sale are from 9 a.m. on any day  
19 to 1 a.m. on the following day.

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

22 (e) (1) The hours during which the privileges conferred by a Class H beer  
23 license may be exercised are from 9 a.m. to midnight.

24 (2) In Montgomery County the hours are from 9 a.m. to 1 a.m. on the  
25 following day.

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 are the same as for the other  
28 days of the week.

29 (g) (1) This subsection applies only in Baltimore City [on the inner parameter  
30 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,  
31 32nd Street on the north, and Barclay Street on the west].

32 (2) By regulation, the Board of License Commissioners may restrict the  
33 hours and days for the sale and consumption of beer.

34 11-302.

35 (a) (1) The hours during which the privileges conferred by a Class A beer and  
36 light wine license may be exercised are from 6 a.m. to midnight on every day except  
37 Sunday.

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1 (2) In Frederick County, on Sunday the hours are from 1 p.m. to midnight.

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

3 (4) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
4 following day except on Sunday when sales are not permitted after 2 a.m.

5 (b) (1) The hours during which the privileges conferred by a Class B beer and  
6 light wine license may be exercised are from 6 a.m. to midnight.

7 (2) In Baltimore City the hours are from 6 a.m. to 2 a.m. on the following  
8 day.

9 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m. on the following  
10 day.

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

13 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
14 following day.

15 (c) (1) The hours during which the privileges conferred by a Class C beer and  
16 light wine license may be exercised are from 6 a.m. to midnight.

17 (2) Except as otherwise provided by regulation adopted under the authority  
18 of subsection (h) of this section, in Baltimore City the hours are from 6 a.m. to 2 a.m. on  
19 the following day.

20 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m. on the following  
21 day.

22 (4) In Montgomery County, except as provided in § 11-516 of this article,  
23 sales may not be made before 11 a.m.

24 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
25 following day.

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

28 (2) Except as otherwise provided by regulation adopted under the authority  
29 of subsection (h) of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m. on  
30 the following day.

31 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m. Monday  
32 through Sunday.

33 (4) In Montgomery County, except as provided in § 11-516 of this article,  
34 the hours for on-sale are from 9 a.m. on any day to 1 a.m. on the following day.

35 (5) In Prince George's County the hours are from 6 a.m. to 2 a.m. on the  
36 following day.

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1 (6) In Wicomico County, notwithstanding the provisions of paragraph (1) of  
2 this subsection, the hours on Sunday are from noon to midnight only by bowling alleys as  
3 defined in § 1-102(b)(3) of this article.

4 (e) (1) The hours during which the privileges conferred by a Class H beer and  
5 light wine license may be exercised are from 9 a.m. to midnight.

6 (2) In Caroline County the hours are from 6 a.m. to 2 a.m. on the following  
7 day.

8 (3) In Montgomery County the hours are from 9 a.m. on any day to 1 a.m. on  
9 the following day.

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

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

16 (h) (1) This subsection applies only in Baltimore City [on the inner parameter  
17 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,  
18 32nd Street on the north, and Barclay Street on the west].

19 (2) By regulation, the Board of License Commissioners may restrict the  
20 hours and days for the sale and consumption of beer and light wine.

21 11-303.

22 (a) (1) The hours during which the privileges conferred by a Class A beer, wine  
23 and liquor license may be exercised are from 6 a.m. to midnight, on every day except  
24 Sunday.

25 (2) The provisions of paragraph (1) of this subsection are superseded as  
26 follows:

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

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

32 (iii) In Kent County the provisions of § 11-515 apply;

33 (iv) In St. Mary's County holders of a Class A-1 license may sell on  
34 Sunday; and

35 (v) In Talbot County the hours are from 8 a.m. to 12 midnight.

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

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

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

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

8 (c) (1) The hours during which the privileges conferred by a Class C beer, wine  
9 and liquor license may be exercised are from 6 a.m. to 2 a.m. on the following day.

10 (2) In Annapolis, the hours are as fixed by the Mayor, Counselor, and  
11 Aldermen of Annapolis.

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

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

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

18 (2) Except as otherwise provided by regulation adopted under the authority  
19 of subsection (e) of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m.

20 (3) In Baltimore County the hours are from 6 a.m. to 2 a.m.

21 (4) In Caroline County the hours are from 6 a.m. Monday through Saturday  
22 until 1 a.m. on the following day (including Sunday).

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

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

29 (e) (1) This subsection applies only in Baltimore City [on the inner parameter  
30 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,  
31 32nd Street on the north, and Barclay Street on the west].

32 (2) By regulation, the Board of License Commissioners may restrict the  
33 hours and days for the sale and consumption of beer, wine and liquor.

34 11-305.

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

36 (b) (1) Except as otherwise provided by law or by regulation adopted under the  
37 authority of paragraph (2) of this subsection, between 2 a.m. and 6 a.m. on any day, a  
38 person may not consume any alcoholic beverages on any premises open to the general

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1 public, any place of public accommodation, or any place at which setups or other  
2 component parts of mixed alcoholic drinks are sold, whether or not the premises or place  
3 is licensed for the sale of alcoholic beverages or has any other license if any form of  
4 entertainment, live or recorded, is offered at the place or on the premises.

5                   (2) [(i) This paragraph applies only on the inner parameter of a rectangle  
6 bounded by 31st Street on the south, Greenmount Avenue on the east, 32nd Street on the  
7 north, and Barclay Street on the west.

8                   (ii)] By regulation, the Board of License Commissioners may restrict  
9 the hours and days for the consumption of alcoholic beverages.

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

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

16                   (1) Register with the fire department and the Department of Housing and  
17 Community Development; and

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

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

25               SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 1997.