
By: Delegates Branch, Harrison, C. Davis, C. Mitchell, Kirk, Opara, Watson, Oaks, and Parker

Introduced and read first time: January 30, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages**
3 **(Inner Harbor Tourism Area - Economic Vitalization)**

4 FOR the purpose of defining a certain restricted area in and around the Inner Harbor in
5 Baltimore City, called the Inner Harbor Tourism Area, so as to promote the
6 economic vitality of the Baltimore Convention Center; amending the Baltimore City
7 Charter to permit the City Council to enact certain ordinances; creating a certain
8 alcoholic beverages license; permitting certain alcoholic beverages licensees in that
9 area of Baltimore City to remain open until a certain time; and generally relating to
10 alcoholic beverages in Baltimore City.

11 BY adding to

12 The Charter of Baltimore City
13 Article II - General Powers
14 Section (65)
15 (1996 Edition, as amended)

16 BY repealing and reenacting, with amendments,

17 Article 2B - Alcoholic Beverages
18 Section 11-301, 11-302, 11-303, 11-304(d), 11-305, and 11-503
19 Annotated Code of Maryland
20 (1996 Replacement Volume)

21 BY adding to

22 Article 2B - Alcoholic Beverages
23 Section 7-101(w), 8-203(e), and 9-204.4
24 Annotated Code of Maryland
25 (1996 Replacement Volume)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

27 MARYLAND, That the Laws of Maryland read as follows:

2

1 **The Charter of Baltimore City**

2 Article II - General Powers

3 The Mayor and City Council of Baltimore shall have full power and authority to
4 exercise all of the powers heretofore or hereafter granted to it by the Constitution of
5 Maryland or by any Public General or Public Local Laws of the State of Maryland; and in
6 particular, without limitation upon the foregoing, shall have power by ordinance, or such
7 other method as may be provided for in its charter, subject to the provisions of said
8 Constitution and Public General Laws:

9 (65) TO ESTABLISH BY ORDINANCE MEASURES FOR INSURING THE PUBLIC
10 HEALTH AND SAFETY OF PERSONS AND BUSINESSES LOCATED WITHIN THE INNER
11 HARBOR TOURISM AREA, AS THAT AREA WAS DEFINED BY PUBLIC GENERAL LAW IN
12 THE ANNOTATED CODE OF MARYLAND. THESE MEASURES MAY INCLUDE
13 REQUIREMENTS ON BUSINESSES THAT SECURE LICENSING PRIVILEGES FROM THE
14 BOARD OF LICENSE COMMISSIONERS THAT MANDATE HEALTH AND SAFETY
15 ACTIVITIES WITHIN A ONE-BLOCK RADIUS OF THE LICENSED PREMISES.

16 **Article 2B - Alcoholic Beverages**

17 7-101.

18 (W) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

19 (2) LICENSEES UNDER THIS SECTION MAY NOT OBTAIN AN INNER
20 HARBOR TOURISM AREA LICENSE NOR MAY THEY REMAIN OPEN LATER THAN 2
21 A.M.

22 8-203.

23 (E) (1) THERE IS A SPECIAL INNER HARBOR TOURISM AREA (IHTA)
24 LICENSE.

25 (2) THE BOARD MAY ISSUE AN ADDITIONAL INNER HARBOR TOURISM
26 AREA LICENSE (IHTA) TO THE HOLDER OF AN EXISTING CLASS B, C, OR D LICENSE IN
27 THE INNER HARBOR TOURISM AREA, AS SET FORTH IN § 11-503 OF THIS ARTICLE.

28 (3) AN IHTA LICENSEE MAY SELL ALL ALCOHOLIC BEVERAGES
29 PERMITTED BY THE LICENSEE'S EXISTING LICENSE AT RETAIL AT THE PREMISES
30 DESCRIBED IN THE LICENSE FOR CONSUMPTION ONLY ON THE PREMISES. DURING
31 THE HOURS IN WHICH THE IHTA LICENSE IS IN EFFECT, OFF-PREMISES SALES ARE
32 FORBIDDEN.

33 (4) THE HOURS FOR SALE ARE FROM THE CLOSING TIME OTHERWISE
34 REQUIRED UNTIL 4 A.M.

35 (5) THE DAYS FOR SALE ARE 7 DAYS PER WEEK.

36 (6) A LICENSE MAY NOT BE ISSUED BY THE BOARD UNLESS THE BOARD
37 DETERMINES THAT IT IS REASONABLY NECESSARY FOR THE CONVENIENCE OF THE
38 PUBLIC.

3

1 (7) THE ANNUAL LICENSE FEE IS \$900.

2 9-204.4.

3 (A) THIS SECTION APPLIES ONLY IN BALTIMORE CITY.

4 (B) THE INNER HARBOR TOURISM AREA IS DEFINED IN § 11-503 OF THIS
5 ARTICLE.

6 11-301.

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

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

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

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

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

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

18 (2) IN BALTIMORE CITY IN THE INNER HARBOR TOURISM AREA, AS SET
19 FORTH IN § 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M.
20 EVERY DAY OF THE WEEK.

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

23 [(3)] (4) In Prince George's County the hours are from 6 a.m. to 2 a.m. on
24 the following day.

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

27 (2) IN BALTIMORE CITY IN THE INNER HARBOR TOURISM AREA, AS SET
28 FORTH IN § 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M.
29 EVERY DAY OF THE WEEK.

30 (3) In Caroline County, the hours are from 6 a.m. until 2 a.m. on the
31 following day.

32 [(3)] (4) In Montgomery County, sales may not be made before 11 a.m.

33 [(4)] (5) In Prince George's County, the hours are from 6 a.m. to 2 a.m. on
34 the following day.

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

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1 (2) IN BALTIMORE CITY IN THE INNER HARBOR TOURISM AREA, A
2 LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY OF THE WEEK.

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

5 [(3)] (4) In Kent County the hours of sale are as provided under § 11-515 of
6 this article.

7 [(4)] (5) In Montgomery County the hours for on-sale are from 9 a.m. on
8 any day to 1 a.m. on the following day.

9 [(5)] (6) In Prince George's County the hours are from 6 a.m. to 2 a.m. on
10 the following day.

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

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

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

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

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

23 11-302.

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

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

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

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

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

33 (2) (I) [In] THIS PARAGRAPH APPLIES ONLY IN Baltimore City.

34 (II) [the] THE hours are from 6 a.m. to 2 a.m. on the following day.

35 (III) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN §
36 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY
37 OF THE WEEK.

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

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

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

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

9 (2) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

10 (II) Except as otherwise provided by regulation adopted under the
11 authority of subsection (h) of this section, [in Baltimore City] the hours are from 6 a.m.
12 to 2 a.m. on the following day.

13 (III) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN §
14 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY
15 OF THE WEEK.

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

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

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

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

24 (2) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

25 (II) Except as otherwise provided by regulation adopted under the
26 authority of subsection (h) of this section, [in Baltimore City] the hours are from 6 a.m.
27 to 1 a.m. on the following day.

28 (III) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN §
29 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY
30 OF THE WEEK.

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 PERIMETER of a rectangle bounded by 31st Street on the south, Greenmount Avenue on
18 the east, 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) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

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

9 (III) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN §
10 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY
11 OF THE WEEK.

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

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

16 (3) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN § 11-503(C)
17 OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY OF THE
18 WEEK.

19 (4) In Kent County the hours of sale are as provided under § 11-515 of this
20 article.

21 [(4)] (5) In Montgomery County, the hours of sale are as provided in §
22 11-516 of this article.

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

25 (2) (I) THIS PARAGRAPH APPLIES ONLY IN BALTIMORE CITY.

26 (II) Except as otherwise provided by regulation adopted under the
27 authority of subsection (e) of this section OR AS PROVIDED IN SUBPARAGRAPH (III) OF
28 THIS PARAGRAPH, in Baltimore City the hours are from 6 a.m. to 1 a.m.

29 (III) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN §
30 11-503(C) OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY
31 OF THE WEEK.

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

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

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

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

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

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

10 11-304.

11 (d) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

12 (2) This section does not apply to premises conducted on New Year's Day
13 by on-sale licensees [in Baltimore City].

14 (3) THIS SECTION DOES NOT APPLY TO PREMISES WHICH POSSESS AN
15 INNER HARBOR TOURISM AREA LICENSE.

16 11-305.

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

18 (b) (1) Except as otherwise provided by law, BY PARAGRAPH (3) OF THIS
19 SUBSECTION, or by regulation adopted under the authority of paragraph (2) of this
20 subsection, between 2 a.m. and 6 a.m. on any day, a person may not consume any
21 alcoholic beverages on any premises open to the general public, any place of public
22 accommodation, or any place at which setups or other component parts of mixed
23 alcoholic drinks are sold, whether or not the premises or place is licensed for the sale of
24 alcoholic beverages or has any other license if any form of entertainment, live or
25 recorded, is offered at the place or on the premises.

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

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

31 (3) IN THE INNER HARBOR TOURISM AREA, AS SET FORTH IN § 11-503(C)
32 OF THIS ARTICLE, A LICENSEE MAY REMAIN OPEN UNTIL 4 A.M. EVERY DAY OF THE
33 WEEK.

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

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

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

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

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

10 11-503.

11 (a) [In] THIS SECTION APPLIES ONLY IN Baltimore City.

12 (B) (1) [an] AN amusement license shall authorize the holder thereof to keep
13 for sale and sell all alcoholic beverages at all hours except between the hours of 2 o'clock
14 a.m. and 6 o'clock a.m. of each day.

15 [(b)] (2) No sales shall be permitted by the holder of a Class D, beer, wine and
16 liquor license (without amusement permit) between the hours of 1 a.m. on Sunday and 6
17 a.m. the following day.

18 (C) (1) THE BOUNDARIES SPECIFIED IN THIS SUBSECTION ARE CALLED THE
19 INNER HARBOR TOURISM AREA (IHTA). THE IHTA IS A CLOSED POLYGON THAT
20 ENCOMPASSES THE AREA ONLY WITHIN ITS BORDERS. BUILDINGS ON THE OUTSIDE
21 OF THE IHTA PERIMETER ARE NOT WITHIN THE PERIMETER.

22 (2) THE BOUNDARIES OF THE INNER HARBOR TOURISM AREA BEGIN
23 AT THE CENTERPOINT OF THE JONES FALLS WHERE IT EMPTIES INTO THE INNER
24 HARBOR OFF OF THE SOUTHERN END OF PIER V; THENCE IN A NORTH BY
25 NORTHWESTERLY DIRECTION TO THE CENTERPOINT OF THE LOMBARD STREET
26 BRIDGE OVER THE JONES FALLS; THENCE WESTERLY ON LOMBARD STREET TO
27 SOUTH STREET; THENCE NORTH ON SOUTH STREET TO REDWOOD STREET; THENCE
28 WEST ON REDWOOD STREET TO CALVERT STREET; THENCE NORTH ON CALVERT
29 STREET TO BALTIMORE STREET; THENCE WEST ON BALTIMORE STREET TO
30 CHARLES STREET; THENCE NORTH ON CHARLES STREET TO FAYETTE STREET;
31 THENCE WEST ON FAYETTE STREET TO LIBERTY STREET; THENCE SOUTH ON
32 LIBERTY STREET TO LOMBARD STREET; THENCE WEST ON LOMBARD STREET TO
33 PACA STREET; THENCE SOUTH ON PACA STREET TO PRATT STREET; THENCE EAST
34 ON PRATT STREET TO HOWARD STREET; THENCE SOUTH ON HOWARD STREET TO
35 CONWAY STREET; THENCE EAST ON CONWAY STREET TO SOUTH CHARLES STREET;
36 THENCE SOUTH ON SOUTH CHARLES STREET TO LEE STREET; THENCE EAST ON LEE
37 STREET, ACROSS LIGHT STREET AND THE WATER'S EDGE, INTO THE INNER HARBOR;
38 THENCE EAST ACROSS THE INNER HARBOR TO A LINE DRAWN NORTH FROM THE
39 WESTERN SIDE OF DEVELOPMENT PARCEL 17A ON INNER HARBOR PROJECT I,
40 COMMONLY CALLED RUSTY SCUPPER POINT; THENCE SOUTH ON THAT LINE TO THE
41 NORTHERN EDGE OF THE PARKING DECK LOCATED IN THAT PARCEL; THENCE EAST
42 ACROSS THE NORTHERN EDGE OF THE PARKING DECK TO WATER'S EDGE; THENCE
43 ACROSS THE WATERS OF THE INNER HARBOR TO THE POINT OF BEGINNING.

10

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