
By: Montgomery County Delegation

Introduced and read first time: January 31, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages**
3 **(Multiple License - Restrictions Lifted)**
4 **MC 701-97**

5 FOR the purpose of altering the number of multiple Class B beer, wine and liquor
6 licensees in Montgomery County; removing all restrictions on the location of
7 multiple Class B licensees; and generally relating to alcoholic beverages in
8 Montgomery County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 9-102.1
12 Annotated Code of Maryland
13 (1996 Replacement Volume)
14 (As enacted by Chapter _____ (S.B. _____/H.B. _____) (7r0290) of the Acts of the
15 General Assembly of 1997)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 2B - Alcoholic Beverages**

19 9-102.1.

20 (a) This section applies only in Montgomery County.

21 (b) (1) In this section the following words have the meanings indicated.

22 (2) "Board" means the Board of License Commissioners.

23 (3) "License" means a Class B (hotel-restaurant or hotel-motel) beer, wine
24 and liquor on-sale only license.

25 (4) "Original license" means a Class B license as set forth in § 6-201(q) of
26 this article.

27 (c) After making an application and paying the fees, the holder of an original
28 license may obtain the additional license or licenses authorized by this section.

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1 (d) (1) A licensee may obtain additional licenses for premises operated as a
2 public hotel.

3 (2) An applicant for this additional license shall:

4 (i) Meet the minimum requirements set forth in § 6-201(a)(3) of this
5 article. If the capital investment in the hotel exceeds \$3,000,000, the building height and
6 elevator requirements required by that section do not apply; and

7 (ii) Have a minimum restaurant seating capacity, as specified in §
8 6-201(a)(3) of this article, of 100 persons.

9 [(e) (1) A licensee may obtain one additional license for premises which meet
10 the qualifications specified in this subsection. For identification purposes, the additional
11 license may be referred to as a "3-Year" license.

12 (2) An applicant for this additional license shall:

13 (i) Have the applicant's place of business located in this State;

14 (ii) Have been the holder of a license for at least 3 years;

15 (iii) Operate a restaurant, as defined by regulations of the Board;

16 (iv) Have a capital investment of at least \$250,000 for restaurant
17 facilities, excluding the cost of land and buildings; and

18 (v) Have a seating capacity of at least 125 persons.

19 (3) This is an on-sale license only.

20 (f) (1) A licensee may obtain one additional license for premises which meet
21 the qualifications specified in this subsection. For identification purposes, this additional
22 license may be referred to as a "Silver Spring" license.

23 (2) The restaurant shall be located both within:

24 (i) CBD zoned property in Silver Spring; and

25 (ii) An enclosed mall having at least 250,000 square feet of gross floor
26 area.

27 (3) The requirement that the holder have been a licensee for 3 years does
28 not apply to this subsection.

29 (4) The Board may grant a maximum of 2 licenses of this type to different
30 applicants.

31 (g) (1) A licensee may obtain one additional license for premises which meet
32 the qualifications specified in this subsection. For identification purposes, this additional
33 license may be referred to as a "Rockville-Major Mall" license.

34 (2) The restaurant shall be located either within:

35 (i) CBD zoned property within the Rockville Town Center mixed use
36 district; or

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1 (ii) An enclosed retail mall anywhere in the County that has at least
2 700,000 square feet of gross floor area.

3 (3) The requirement that the holder have been a licensee for 3 years does
4 not apply to this subsection.

5 (4) The Board may grant to different applicants a maximum of:

6 (i) Two licenses of this type for use in the Rockville Town Center
7 mixed use district; and

8 (ii) One license of this type for use in each retail mall having at least
9 700,000 square feet of gross floor area.]

10 [(h)] (E) (1) This subsection excludes additional licenses issued pursuant to
11 subsection (d) of this section, which relates to public hotels.

12 (2) This section does not permit the issuance to a person or for the use of
13 any partnership, corporation, unincorporated association, or limited liability company of
14 more than the number of licenses specified.

15 (3) [Additional restaurant licenses may be issued as follows:

16 (i) Including the original license, the maximum number of licenses is
17 [four] EIGHT.

18 (4) MULTIPLE LICENSEES MAY LOCATE ANYWHERE IN THE COUNTY,
19 WITH NO WAITING PERIOD.

20 [(ii) The maximum number of licenses may be obtained as follows:

21 1. Original license;

22 2. Pursuant to subsection (e) of this section, one 3-Year
23 restaurant license;

24 3. Pursuant to subsection (f) of this section, one Silver Spring
25 restaurant license; and

26 4. Pursuant to subsection (g) of this section, one
27 Rockville-Major Mall restaurant license.

28 (iii) Three licenses may be obtained as follows:

29 1. Original license;

30 2. Pursuant to subsection (f) of this section, one Silver Spring
31 restaurant license; and

32 3. Pursuant to subsection (g) of this section, one
33 Rockville-Major Mall restaurant license.

34 (iv) Three licenses may also be obtained as follows:

35 1. Original license;

