

Unofficial Copy
A2
HB 314/96 - ECM

1997 Regular Session
7r1530
CF 7r1529

By: Senators Hoffman, Blount, Kelley, and Conway

Introduced and read first time: January 31, 1997

Assigned to: Economic and Environmental Affairs

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.

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

2

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

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

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

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

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

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

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

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

16 (4) In Montgomery County the hours for on-sale are from 9 a.m. on any day
17 to 1 a.m. on the following day.

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

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

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

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

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

30 (2) By regulation, the Board of License Commissioners may restrict the
31 hours and days for the 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 are from 6 a.m. to midnight on every day except
35 Sunday.

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

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

3

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4

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

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

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

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

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

13 (h) (1) This subsection applies only in Baltimore City [on the inner parameter
14 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,
15 32nd Street on the north, and Barclay Street on the west].

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

18 11-303.

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

22 (2) The provisions of paragraph (1) of this subsection are superseded as
23 follows:

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

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

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

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

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

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

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

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

5

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

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

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

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

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

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

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

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

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

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

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

25 (e) (1) This subsection applies only in Baltimore City [on the inner parameter
26 of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the east,
27 32nd Street on the north, and Barclay Street on the west].

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

30 11-305.

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

32 (b) (1) Except as otherwise provided by law or by regulation adopted under the
33 authority of paragraph (2) of this subsection, between 2 a.m. and 6 a.m. on any day, a
34 person may not consume any alcoholic beverages on any premises open to the general
35 public, any place of public accommodation, or any place at which setups or other
36 component parts of mixed alcoholic drinks are sold, whether or not the premises or place
37 is licensed for the sale of alcoholic beverages or has any other license if any form of
38 entertainment, live or recorded, is offered at the place or on the premises.

6

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

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

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

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

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

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

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

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