

CF HB 1222

By: Senators Craig, Collins, and Amoss

Introduced and read first time: February 19, 1997

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages**
3 **(Golf Course License - II)**

4 FOR the purpose of creating a Class GC (golf course) beer, wine and liquor alcoholic
5 beverages license for issuance to golf courses in Harford County; providing for the
6 specifications for the license; exempting the license from certain restrictions, and
7 generally relating to alcoholic beverages in Harford County.

8 BY renumbering

9 Article 2B - Alcoholic Beverages
10 Section 8-501 through 8-503, respectively
11 to be Section 8-502 through 8-504, respectively
12 Annotated Code of Maryland
13 (1996 Replacement Volume)

14 BY adding to

15 Article 2B - Alcoholic Beverages
16 Section 8-501 and 11-513(b)(3)
17 Annotated Code of Maryland
18 (1996 Replacement Volume)

19 BY repealing and reenacting, with amendments,

20 Article 2B - Alcoholic Beverages
21 Section 9-213(b)
22 Annotated Code of Maryland
23 (1996 Replacement Volume)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That Section(s) 8-501 through 8-503, respectively, of Article 2B -
26 Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s)
27 8-502 through 8-504, respectively.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland

29 read as follows:

2

1 **Article 2B - Alcoholic Beverages**

2 8-501.

3 (A) THIS SECTION APPLIES ONLY IN HARFORD COUNTY.

4 (B) THERE IS A CLASS GC (GOLF COURSE) BEER, WINE AND LIQUOR LICENSE.

5 (C) THE LICENSEE SHALL OWN OR OPERATE A GOLF COURSE WHICH:

6 (1) IS OPEN TO THE PUBLIC;

7 (2) IS OPERATED FOR PROFIT; AND

8 (3) HAS A MINIMUM OF 18 HOLES.

9 (D) THE ANNUAL LICENSE FEE IS \$2,200.

10 (E) THE LICENSEE MAY SELL BEER, WINE, AND LIQUOR FOR CONSUMPTION
11 ONLY ON THE LAND AND IN THE BUILDINGS, INCLUDING THE CLUBHOUSE, USED
12 FOR GOLFING PURPOSES.

13 (F) A PATRON NEED NOT BE SEATED TO BE SERVED.

14 (G) ALL ALCOHOLIC BEVERAGES, OTHER THAN BEER AND LIGHT WINE, SOLD
15 OR OFFERED FOR SALE SHALL BE PURCHASED FROM THE LIQUOR CONTROL
16 BOARD, AND EACH BOTTLE SHALL BE STAMPED OR OTHERWISE DESIGNATED
17 "ON-SALE ONLY" BY THE BOARD.

18 (H) THE HOURS AND DAYS FOR SALE ARE AS SPECIFIED IN § 11-513(B)(3) OF
19 THIS ARTICLE.

20 (I) THE PROHIBITION ON THE DISTANCE A LICENSEE MUST REMAIN FROM A
21 CHURCH OR SCHOOL SPECIFIED IN § 9-213 OF THIS ARTICLE DOES NOT APPLY TO
22 CLASS GC (GOLF COURSE) LICENSEES.

23 9-213.

24 (b) (1) (i) Except as provided in paragraphs (2), (3), (4), (5), [and] (6) AND
25 (7) of this subsection, the Harford County Board of License Commissioners may not issue
26 any license to sell alcoholic beverages within 300 feet of any church or other place of
27 worship or within 1,000 feet of any public school building.

28 (ii) This section does not affect any license existing on July 1, 1975 or
29 the transfer or issuance of a Class B (on-sale) beer, wine and liquor license for the use on
30 any premises licensed on July 1, 1975.

31 (iii) The Board may not issue any license to sell alcoholic beverages
32 within 1,000 feet of any private, parochial, or bona fide church school building.

33 (iv) This section does not affect any license existing on July 1, 1977.

34 (v) This section does not affect the renewal, transfer, or upgrading of
35 a license unless transferred to a new location.

3

1 (vi) Measurement of the required distance shall be made from the
2 nearest point of the building of the establishment to the nearest point of the building of
3 the school, church, or other place of worship.

4 (vii) Any decision of the Harford County Board of Education after June
5 30, 1975 to locate a public school building within 1,000 feet of an existing licensee may not
6 be the basis for the revocation or denial of renewal, transfer, or upgrading of that
7 alcoholic beverages license.

8 (viii) This section does not preclude a church or school from applying
9 for a 1-day license to be used on their premises.

10 (2) In Bel Air, Aberdeen, and Havre de Grace, the Board may issue a Class
11 B license to sell alcoholic beverages to a bona fide hotel, motel, or restaurant, as defined
12 in § 6-201(n) of this article, a Class C license to a club, as defined in § 6-301(o)(2) of this
13 article, or a Class H license to a caterer, as defined in § 6-704(a) of this article, if the
14 club, hotel, motel, restaurant, or caterer is not located within 300 feet of any public or
15 nonpublic school.

16 (3) In the incorporated municipalities of Harford County, the Board:

17 (i) May, according to the provisions of § 10-202 of this article, issue a
18 license to sell alcoholic beverages to a bona fide hotel, motel, or restaurant as defined in
19 § 6-201(n) of this article, club as defined in § 6-301(o)(2) of this article, or caterer as
20 defined in § 6-704(a) of this article, within 300 feet of a church or place of worship; and

21 (ii) May issue any alcoholic beverages license to a business
22 establishment, if the business is not located within 300 feet of any public or nonpublic
23 school.

24 (4) The Board may waive restrictions under this subsection in approving an
25 application for an alcoholic beverages license where an existing retail building or unit has
26 an entrance not within 1,000 feet of the nearest point of a school building and no more
27 than 25 percent of the floor area of the existing unit is within 1,000 feet of a school
28 building.

29 (5) The provisions of paragraph (1) of this subsection relating to distance
30 from a church or place of worship do not apply to either the issuance of a 1-day alcoholic
31 beverages license for use within a building or to the issuance of a Class H beer, wine and
32 liquor license issued under § 6-704(d) of this article to a caterer for use in a banquet
33 facility located within a building if:

34 (i) The construction of the building is completed after July 1, 1991;
35 and

36 (ii) The building is used for emergency operations by a volunteer fire
37 company.

38 (6) The provisions of paragraph (1) of this subsection do not apply to the
39 issuance of a Class B-4 (seafood restaurant) license as set forth in § 5-201(n)(7) of this
40 article.

4

1 (7) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT
2 APPLY TO THE ISSUANCE OF A CLASS GC (GOLF COURSE) LICENSE AS SET FORTH IN
3 § 8-501 OF THIS ARTICLE.

4 11-513.

5 (b) (3) A CLASS GC (GOLF COURSE) LICENSEE MAY SELL BEER, WINE AND
6 LIQUOR BETWEEN 10 A.M. AND 2 A.M. EVERY DAY.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 June 1, 1997.