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1997 Regular Session
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CF HB 1222

By: Senators Craig, Collins, and Amoss

Introduced and read first time: February 19, 1997

Assigned to: Rules

Re-referred to: Economic and Environmental Affairs, February 24, 1997

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 1997

CHAPTER ____

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 certain owners or operators of golf courses in
6 Harford County; providing for the specifications for the license; exempting the
7 license from certain restrictions; and generally relating to alcoholic beverages in
8 Harford County.

9 BY renumbering

10 Article 2B - Alcoholic Beverages
11 Section 8-501 through 8-503, respectively
12 to be Section 8-502 through 8-504, respectively
13 Annotated Code of Maryland
14 (1996 Replacement Volume)

15 BY adding to

16 Article 2B - Alcoholic Beverages
17 Section 8-501 and 11-513(b)(3)
18 Annotated Code of Maryland
19 (1996 Replacement Volume)

20 BY repealing and reenacting, with amendments,

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

2

1 (1996 Replacement Volume)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That Section(s) 8-501 through 8-503, respectively, of Article 2B -
4 Alcoholic Beverages of the Annotated Code of Maryland be renumbered to be Section(s)
5 8-502 through 8-504, respectively.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
7 read as follows:

8 **Article 2B - Alcoholic Beverages**

9 8-501.

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

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

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

13 (1) IS OPEN TO THE PUBLIC;

14 (2) IS OPERATED FOR PROFIT; AND

15 (3) HAS A MINIMUM OF 18 HOLES.

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

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

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

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

25 (H) THE HOURS AND DAYS FOR SALE ARE AS SPECIFIED IN ~~§ 11-513(B)(3)~~ §
26 11-513(B)(1) OF THIS ARTICLE.

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

30 9-213.

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

3

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

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

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

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

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

12 (vii) Any decision of the Harford County Board of Education after June
13 30, 1975 to locate a public school building within 1,000 feet of an existing licensee may not
14 be the basis for the revocation or denial of renewal, transfer, or upgrading of that
15 alcoholic beverages license.

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

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

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

25 (i) May, according to the provisions of § 10-202 of this article, issue a
26 license to sell alcoholic beverages to a bona fide hotel, motel, or restaurant as defined in
27 § 6-201(n) of this article, club as defined in § 6-301(o)(2) of this article, or caterer as
28 defined in § 6-704(a) of this article, within 300 feet of a church or place of worship; and

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

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

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

4

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

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

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

8 (7) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT
9 APPLY TO THE ISSUANCE OF A CLASS GC (GOLF COURSE) LICENSE AS SET FORTH IN
10 § 8-501 OF THIS ARTICLE.

11 11-513.

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

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