
By: **Delegates Conway and D. Hughes**
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Assigned to: Rules and Executive Nominations
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Committee Report: Favorable
House action: Adopted
Read second time: March 25, 1998

CHAPTER _____

1 AN ACT concerning

2 **Wicomico County - Alcoholic Beverages - Restaurants and Taverns**

3 FOR the purpose of eliminating the requirement in Wicomico County that
4 restaurants and taverns that are licensed to serve alcoholic beverages must
5 have a certain amount of square feet per person; requiring restaurants and
6 taverns in Wicomico County to meet the minimum requirements of the a certain
7 fire code; and generally relating to alcoholic beverages in Wicomico County.

8 BY repealing and reenacting, without amendments,
9 Article 2B - Alcoholic Beverages
10 Section 6-201(x)(1)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 1997 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 2B - Alcoholic Beverages
15 Section 6-201(x)(2) and 6-401(x)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 1997 Supplement)

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

1 **Article 2B - Alcoholic Beverages**

2 6-201.

3 (x) (1) This subsection applies only in Wicomico County.

4 (2) (i) This paragraph applies solely to hotel and restaurant licenses.

5 (ii) The annual license fee is:

6 1. For a restaurant - \$1,100; and

7 2. For a hotel - \$1,650.

8 (iii) 1. This license may be issued to a bona fide hotel which:

9 A. Is an establishment for the accommodation of the public
10 providing services ordinarily found in hotels; and11 B. Is equipped with not fewer than 25 rooms, a lobby with
12 registration and mail desk and seating facilities and a dining room which serves
13 full-course meals at least twice daily.14 2. A hotel license does not permit sales for consumption off
15 the premises.

16 (iv) 1. This license may be issued to a restaurant which:

17 A. Is a business establishment for the accommodation of the
18 public;19 B. Is fully equipped with a proper and adequate dining room
20 with facilities for preparing and serving regular meals;21 C. Has a regular seating capacity at tables (not including
22 seats at bars or counters) for 75 or more persons seated comfortably and adequately[,
23 allowing 15 square feet per person] AND SHALL MEET THE MINIMUM
24 REQUIREMENTS OF THE FIRE CODE APPLICABLE TO THE JURISDICTION WHERE THE
25 RESTAURANT IS LOCATED; and26 D. Has the average daily receipts from the sale of foods for
27 each month exceed the average daily receipts from the sale of alcoholic beverages. In
28 calculating average daily receipts from the sale of foods, no allocation of foodstuff
29 contained in any mixed drink may be included in average daily receipts from the sale
30 of food.31 2. The seating [and square foot requirements] do not affect
32 present Class B beer, wine and liquor licensees.

1 (7) All alcoholic beverages other than beer and light wine shall be
2 purchased from the Liquor Control Board for Wicomico County and shall be charged
3 not more than 15 percent above the wholesale cost to the dispensary.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1998.