
By: **Delegates Bozman, Conway, and McClenahan**
Introduced and read first time: February 12, 1999
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County - Alcoholic Beverages - Special Entertainment Licenses**

3 FOR the purpose of prohibiting in Worcester County an alcoholic beverages licensee
4 from providing certain entertainment in certain circumstances; creating certain
5 special entertainment licenses; authorizing certain licensees to obtain certain
6 special entertainment licenses; exempting certain licensees from the prohibition
7 against providing entertainment; providing for the terms and conditions of the
8 special entertainment licenses; requiring the Board of License Commissioners to
9 issue a special entertainment license only under certain conditions; and
10 generally relating to alcoholic beverages licenses in Worcester County.

11 BY repealing and reenacting, with amendments,
12 Article 2B - Alcoholic Beverages
13 Section 12-224.1
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 1998 Supplement)

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 12-224.1.

20 (a) The provisions of this section apply only in Worcester County.

21 (b) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) THROUGH (4) OF THIS
22 SUBSECTION, IN WORCESTER COUNTY AN ALCOHOLIC BEVERAGES LICENSEE OF
23 ANY CLASS MAY NOT ALLOW THE PLAYING OF MUSIC OF ANY KIND, OTHER THAN
24 ONE RADIO SPEAKER OR ONE TELEVISION SCREEN, OR DANCING, FLOOR SHOWS, OR
25 ANY OTHER SIMILAR TYPE OF ENTERTAINMENT ON THE LICENSED PREMISES OR ON
26 ADJACENT PROPERTY OVER WHICH THE LICENSEE HAS OWNERSHIP OR CONTROL.

1 (2) (I) A CLASS B, CLASS D, CLASS H, OR CLASS I LICENSEE MAY PLAY
2 RECORDED MUSIC OF ANY KIND, OR HAVE LIVE MUSIC WITH NO MORE THAN TWO
3 MUSICIANS, IF THE LICENSEE OBTAINS A SPECIAL MUSIC LICENSE.

4 (II) THE BOARD OF LICENSE COMMISSIONERS SHALL ISSUE A
5 SPECIAL MUSIC LICENSE IN THE SAME MANNER AS ANY OTHER SPECIAL LICENSE.

6 (III) THE ANNUAL FEE FOR A SPECIAL MUSIC LICENSE IS \$50.

7 (IV) DANCING, FLOOR SHOWS, OR OTHER SIMILAR LIVE
8 ENTERTAINMENT ARE PROHIBITED UNDER A SPECIAL MUSIC LICENSE.

9 (3) (I) A CLASS B, CLASS D, CLASS H, OR CLASS I LICENSEE MAY HAVE
10 MUSIC, DANCING, AND OTHER LEGAL FORMS OF ENTERTAINMENT IF THE LICENSEE
11 OBTAINS A SPECIAL DANCING LICENSE.

12 (II) THE BOARD OF LICENSE COMMISSIONERS SHALL ISSUE A
13 SPECIAL DANCING LICENSE IN THE SAME MANNER AS ANY OTHER SPECIAL LICENSE.

14 (III) THE ANNUAL FEE FOR THE SPECIAL DANCING LICENSE IS:

15 1. \$200 WHEN ISSUED TO A LICENSEE HOLDING A BEER,
16 WINE AND LIQUOR LICENSE; OR

17 2. \$100 WHEN ISSUED TO A LICENSEE HOLDING A BEER AND
18 WINE LICENSE.

19 (4) (I) A CLASS C LICENSEE MAY HAVE MUSIC, DANCING, AND OTHER
20 LEGAL FORMS OF ENTERTAINMENT.

21 (II) THE BOARD OF LICENSE COMMISSIONERS SHALL ISSUE A
22 SPECIAL DANCING LICENSE IN THE SAME MANNER AS ANY OTHER SPECIAL LICENSE,
23 AT NO ADDITIONAL CHARGE.

24 (5) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE SPECIAL
25 LICENSES SET FORTH IN PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION ONLY
26 WHEN THE BOARD OF LICENSE COMMISSIONERS FINDS THAT:

27 (I) THE USE OF THE LICENSED PREMISES FOR SUCH PURPOSES
28 DOES NOT VIOLATE A FIRE, HEALTH, OR BUILDING REGULATION OF THE COUNTY;

29 (II) THE APPLICANT CAN ADEQUATELY CONTROL THE PERSONS
30 USING THE LICENSED PREMISES;

31 (III) THE GRANTING OF THE SPECIAL LICENSE IS NECESSARY FOR
32 THE ACCOMMODATION OF THE PUBLIC;

33 (IV) THE OPERATION OF THE PREMISES UNDER THE SPECIAL
34 LICENSE WILL NOT UNDULY DISTURB THE PEACE OF THE RESIDENTS OF THE
35 NEIGHBORHOOD IN WHICH THE PLACE OF BUSINESS IS LOCATED; AND

1 (V) IN ITS DISCRETION, THE GRANTING OF THE SPECIAL LICENSE
2 WILL NOT BE DETRIMENTAL TO THE GENERAL PUBLIC WELFARE.

3 (C) The Board of License Commissioners may regulate the time and noise level
4 of the playing of mechanical music boxes, live music, and sound making devices that
5 are used on licensed premises where the sound disturbs the peace, tranquility, safety,
6 and health of the surrounding neighborhood.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1999.