
By: **Prince George's County Delegation**
Introduced and read first time: February 12, 1999
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 26, 1999

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages - ~~Class B/EDZ License~~**
3 **Additional Class B Licenses**
4 **PG 306-99**

5 FOR the purpose of ~~establishing in Prince George's County a Class B/Economic~~
6 ~~Development Zone (B/EDZ) alcoholic beverages license; establishing an annual~~
7 ~~license fee; establishing standards and procedures to determine whether a~~
8 ~~premises qualifies for a license; authorizing the Prince George's County Council~~
9 ~~or a municipal corporation in Prince George's County to establish at a certain~~
10 ~~time requirements for licensure; limiting the effect of a Class B/EDZ license on~~
11 ~~the privileges of other types of alcoholic beverages licenses; establishing the~~
12 ~~number of licenses that a licensee may hold; excepting a Class B/EDZ licensee~~
13 ~~from certain residency requirements; limiting a license to on-sale privileges;~~
14 ~~authorizing the Board of License Commissioners to limit the number of licenses~~
15 ~~issued; authorizing in certain areas a Class B licensee to transfer the Class B~~
16 ~~license to a location or person outside of the area; authorizing in a certain area~~
17 ~~a Class B licensee to convert the license to a Class B/EDZ license; and generally~~
18 ~~relating to Class B/EDZ licenses in Prince George's County authorizing the~~
19 ~~Prince George's County Board of License Commissioners to allow certain~~
20 ~~individuals and entities to hold or have an interest in more than one Class B~~
21 ~~Beer, Wine and Liquor license for restaurants that are located in certain areas~~
22 ~~under certain circumstances; providing for certain exceptions; establishing an~~
23 ~~annual license fee for certain Class B licenses; providing that a certain Class B~~
24 ~~license does not confer off-sale privileges; providing that the issuance of certain~~
25 ~~Class B Beer, Wine and Liquor licenses is subject to a certain limitation on the~~
26 ~~number of certain Class B licenses that can be issued in Prince George's County;~~
27 ~~and generally relating to Class B Beer, Wine and Liquor licenses in Prince~~

1 George's County.

2 BY repealing and reenacting, without amendments,
 3 Article 2B - Alcoholic Beverages
 4 Section ~~6-201(r)(1)~~ and 9-217(a)
 5 Annotated Code of Maryland
 6 (1998 Replacement Volume and 1998 Supplement)

7 BY adding to
 8 Article 2B - Alcoholic Beverages
 9 Section ~~6-201(r)(14)~~ 9-217(f)(5)
 10 Annotated Code of Maryland
 11 (1998 Replacement Volume and 1998 Supplement)

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

14 **Article 2B - Alcoholic Beverages**

15 6-201.

16 (r) (1) (i) This subsection applies only in Prince George's County.

17 (ii) 1. In this subsection the following words have the meanings
 18 indicated.

19 2. "Board" means the Board of License Commissioners.

20 3. "Restaurant" means any establishment:

21 A. Located in a permanent building with ample space and
 22 accommodations commonly known as a restaurant where hot meals are habitually
 23 prepared, sold and served to the public during the hours it is regularly open for
 24 business;

25 B. Having at least the minimum sanitary facilities required
 26 for an establishment by the regulations of the county health department and shall
 27 meet the minimum health requirements of these regulations;

28 C. Having a dining area or areas with sufficient tables,
 29 chairs or booths to comfortably seat and accommodate patrons;

30 D. Equipped with a kitchen having complete facilities and
 31 utensils for preparing hot and cold meals to the public;

32 E. Employing a sufficient number of cooks, waiters or
 33 waitresses to serve the number of patrons provided for in the dining area or areas;
 34 and

1 F. Maintaining and displaying a menu advertising the
2 serving of a variety of hot meals. There shall be on the premises at all times sufficient
3 food to fill orders made from the menu.

4 (14) (I) ~~THERE IS A CLASS B/EDZ LICENSE.~~

5 (II) ~~THE ANNUAL LICENSE FEE IS \$2,500.~~

6 (III) ~~THE BOARD MAY ISSUE A SPECIAL CLASS B BEER, WINE AND~~
7 ~~LIQUOR (ON SALE) LICENSE KNOWN AS A CLASS B/ECONOMIC DEVELOPMENT ZONE~~
8 ~~LICENSE.~~

9 (IV) 1. ~~A CLASS B/EDZ LICENSE MAY BE ISSUED ONLY TO A~~
10 ~~RESTAURANT LOCATED IN AN AREA THAT THE COUNTY COUNCIL OR THE~~
11 ~~GOVERNING BODY OF A MUNICIPAL CORPORATION DESIGNATES AS AN ECONOMIC~~
12 ~~DEVELOPMENT ZONE.~~

13 2. ~~THE RESOLUTION BY THE COUNTY COUNCIL OR THE~~
14 ~~GOVERNING BODY OF A MUNICIPAL CORPORATION THAT ESTABLISHES AN~~
15 ~~ECONOMIC DEVELOPMENT ZONE MAY ALSO ESTABLISH REQUIREMENTS THAT A~~
16 ~~LICENSEE UNDER THIS PARAGRAPH MUST SATISFY, INCLUDING MINIMUM SEATING~~
17 ~~CAPACITY AND LIMITATIONS ON ENTERTAINMENT.~~

18 (V) ~~THE NUMBER OF CLASS B/EDZ LICENSES THAT A LICENSEE~~
19 ~~HOLDS DOES NOT AFFECT A CLASS B LICENSE THAT THE LICENSEE HOLDS.~~

20 (VI) ~~A LICENSEE MAY HOLD AN UNLIMITED NUMBER OF CLASS~~
21 ~~B/EDZ LICENSES.~~

22 (VII) ~~THE RESIDENCY REQUIREMENTS SPECIFIED IN § 9-101(A)(3),~~
23 ~~(D)(3), AND (D)(5)(I) OF THIS ARTICLE DO NOT APPLY TO A CLASS B/EDZ LICENSE.~~

24 (VIII) ~~A CLASS B/EDZ LICENSE IS RESTRICTED TO ON-SALE~~
25 ~~PRIVILEGES.~~

26 (IX) ~~THE BOARD MAY DETERMINE THE NUMBER OF CLASS B/EDZ~~
27 ~~LICENSES TO BE ISSUED.~~

28 (X) ~~A CLASS B LICENSEE WITHIN AN ECONOMIC DEVELOPMENT~~
29 ~~ZONE MAY:~~

30 1. ~~TRANSFER THE CLASS B LICENSE TO A NEW LOCATION~~
31 ~~OUTSIDE OF THE ECONOMIC DEVELOPMENT ZONE;~~

32 2. ~~TRANSFER THE CLASS B LICENSE TO ANOTHER PERSON~~
33 ~~OUTSIDE OF THE ECONOMIC DEVELOPMENT ZONE; OR~~

34 3. ~~CONVERT THE CLASS B LICENSE TO A CLASS B/EDZ~~
35 ~~LICENSE.~~

1 9-217.

2 (a) This section applies only in Prince George's County.

3 (F) (5) (I) THIS PARAGRAPH DOES NOT APPLY TO A LICENSED PREMISES
4 LOCATED IN A CHAIN STORE, SUPERMARKET, DISCOUNT HOUSE, DRUG STORE, OR
5 CONVENIENCE STORE.

6 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE,
7 THE BOARD OF LICENSE COMMISSIONERS MAY ALLOW AN INDIVIDUAL,
8 PARTNERSHIP, CORPORATION, UNINCORPORATED ASSOCIATION, OR LIMITED
9 LIABILITY COMPANY TO HOLD OR HAVE AN INTEREST IN MORE THAN ONE CLASS B
10 BEER, WINE AND LIQUOR LICENSE, IF THE RESTAURANT FOR WHICH THE LICENSE IS
11 SOUGHT IS LOCATED WITHIN ANY OF THE FOLLOWING AREAS THAT ARE
12 UNDERSERVED BY RESTAURANTS:

13 1. SUITLAND BUSINESS DISTRICT, CONSISTING OF
14 PROPERTIES FRONTING ON OR HAVING ACCESS TO SILVER HILL ROAD BETWEEN
15 SUITLAND PARKWAY AND SUNSET LANE, AND ON SUITLAND ROAD BETWEEN
16 ARNOLD ROAD AND EASTERN LANE;

17 2. PORT TOWNS BUSINESS DISTRICT, CONSISTING OF
18 PROPERTIES FRONTING ON OR HAVING ACCESS TO RHODE ISLAND AVENUE,
19 BLADENSBURG ROAD, ANNAPOLIS ROAD, OR 38TH STREET AND LOCATED WITHIN
20 THE MUNICIPAL BOUNDARIES OR NORTH BRENTWOOD, BLADENSBURG, COLMAR
21 MANOR, COTTAGE CITY, OR MT. RAINIER;

22 3. INDIAN HEAD HIGHWAY CORRIDOR, CONSISTING OF
23 PROPERTIES LOCATED WITHIN 500 FEET OF THE RIGHT-OF-WAY OF INDIAN HEAD
24 HIGHWAY (MD ROUTE 210) FROM OXON HILL ROAD ON THE NORTH TO SWAN CREEK
25 ROAD ON THE SOUTH;

26 4. LARGO AREA, CONSISTING OF PROPERTIES WITHIN THE
27 AREA BOUNDED BY THE CAPITAL BELTWAY (I-495) ON THE WEST, CENTRAL AVENUE
28 AND LANOVER ROAD ON THE SOUTH AND SOUTHEAST, CAMPUS WAY NORTH ON
29 THE EAST AND ROUTE 214 AND LANOVER ROAD ON THE NORTH AND NORTHWEST;
30 OR

31 5. NATIONAL HARBOR, CONSISTING OF PROPERTIES WITHIN
32 THE AREA BOUNDED BY THE CAPITAL BELTWAY (I-495) ON THE NORTH, OXON HILL
33 ROAD ON THE EAST, RIVER BEND ROAD ON THE SOUTH, AND THE POTOMAC RIVER
34 ON THE WEST.

35 (III) 1. EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPHS 2 AND 3
36 OF THIS SUBPARAGRAPH, A LICENSE HOLDER MAY NOT HOLD MORE THAN 4 CLASS B
37 BEER, WINE AND LIQUOR LICENSES WITHIN ALL OF THE UNDERSERVED AREAS
38 DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH.

39 2. A LICENSE HOLDER MAY BE ISSUED OR TRANSFERRED A
40 FIFTH CLASS B BEER, WINE AND LIQUOR LICENSE ONLY IF THE DATE OF THE

1 APPLICATION FOR THE FIFTH LICENSE IS AT LEAST 1 YEAR AFTER THE DATE THE
2 LICENSE HOLDER WAS ISSUED OR TRANSFERRED THE FOURTH LICENSE.

3 3. A LICENSE HOLDER MAY BE ISSUED OR TRANSFERRED A
4 SIXTH CLASS B BEER, WINE AND LIQUOR LICENSE ONLY IF THE DATE OF THE
5 APPLICATION FOR THE SIXTH LICENSE IS AT LEAST 1 YEAR AFTER THE DATE THE
6 LICENSE HOLDER WAS ISSUED OR TRANSFERRED THE FIFTH LICENSE.

7 (IV) AN INDIVIDUAL, PARTNERSHIP, CORPORATION,
8 UNINCORPORATED ASSOCIATION, OR LIMITED LIABILITY COMPANY THAT HOLDS OR
9 HAS AN INTEREST IN A LICENSE LOCATED IN AN UNDERSERVED AREA DESCRIBED IN
10 SUBPARAGRAPH (II) OF THIS PARAGRAPH MAY NOT HOLD OR HAVE AN INTEREST IN
11 MORE THAN ONE LICENSE LOCATED OUTSIDE OF ALL THE UNDERSERVED AREAS.

12 (V) THE ANNUAL LICENSE FEE FOR A CLASS B LICENSE OBTAINED
13 UNDER THIS PARAGRAPH IS \$2,500.

14 (VI) A CLASS B LICENSE OBTAINED UNDER THIS PARAGRAPH DOES
15 NOT CONFER OFF-SALE PRIVILEGES.

16 (VII) THE RESIDENCY REQUIREMENTS UNDER § 9-101 OF THIS TITLE
17 APPLY TO AN APPLICANT FOR A CLASS B LICENSE UNDER THIS PARAGRAPH.

18 (VIII) THE LIMIT ON THE MAXIMUM NUMBER OF CLASS B BEER, WINE
19 AND LIQUOR LICENSES IN THE COUNTY UNDER SUBSECTION (B) OF THIS SECTION
20 APPLIES TO THE ISSUANCE OF LICENSES UNDER THIS PARAGRAPH.

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