
By: **Senator Della**

Introduced and read first time: February 5, 1999

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 1999

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City (~~47th Alcoholic Beverages District~~ 46th and 47th Alcoholic**
3 **Beverages Districts) - Alcoholic Beverages Licenses - Restrictions**

4 FOR the purpose of requiring in the ~~47th Alcoholic Beverages District~~ 46th and 47th
5 Alcoholic Beverages Districts of Baltimore City that food sales in certain
6 restaurants must be a certain percentage of total daily receipts; requiring
7 certain Class B beer, wine and liquor licensees to file annually at a certain time
8 with the Board of License Commissioners certain documents showing that the
9 food sales requirement is met; increasing the required capital investment for
10 licensed restaurant facilities; establishing that certain improvements are not a
11 capital investment; establishing a maximum seating capacity for a licensed
12 restaurant; increasing to a certain percent the amount of average daily receipts
13 that must derive from the sale of food; prohibiting a license from being
14 transferred from the location of its first issuance; prohibiting the issuance of a
15 license to certain restaurants; and generally relating to alcoholic beverages
16 licenses in the ~~47th Alcoholic Beverages District~~ 46th and 47th Alcoholic
17 Beverages Districts of Baltimore City.

18 BY repealing and reenacting, without amendments,
19 Article 2B - Alcoholic Beverages
20 Section 6-201(d)(1)(i)
21 Annotated Code of Maryland
22 (1998 Replacement Volume and 1998 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article 2B - Alcoholic Beverages
25 Section 6-201(d)(1)(vii)

1 Annotated Code of Maryland
 2 (1998 Replacement Volume and 1998 Supplement)

3 BY adding to
 4 Article 2B - Alcoholic Beverages
 5 Section 6-201(d)(1)(viii)
 6 Annotated Code of Maryland
 7 (1998 Replacement Volume and 1998 Supplement)

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

10 **Article 2B - Alcoholic Beverages**

11 6-201.

12 (d) (1) (i) This subsection applies only in Baltimore City.

13 (vii) In addition to the other requirements provided for in this
 14 subsection, in the 46TH AND 47th Alcoholic Beverages [District] DISTRICTS the
 15 restaurant shall have a minimum:

16 1. Capital investment of [\$250,000] \$500,000 for restaurant
 17 facilities not including the cost of the land, [or] THE building, OR IMPROVEMENTS
 18 THAT ARE NOT TO THE INTERIOR OF A BUILDING ON THE LICENSED PREMISES; and

19 2. Seating capacity of 75 persons, AND A MAXIMUM SEATING
 20 CAPACITY OF 150 PERSONS.

21 (VIII) 1. NOTWITHSTANDING § 1-102(A)(22)(I)3 OF THIS ARTICLE,
 22 FOR A LICENSEE WHO IS ISSUED A CLASS B BEER, WINE AND LIQUOR LICENSE FOR
 23 USE IN A RESTAURANT IN THE 46TH OR 47TH ALCOHOLIC BEVERAGES DISTRICT, THE
 24 AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD MUST BE AT LEAST ~~50%~~ 51% OF
 25 THE TOTAL DAILY RECEIPTS OF THE RESTAURANT.

26 2. A LICENSEE ANNUALLY, AT THE TIME THE LICENSE IS
 27 RENEWED, SHALL FILE WITH THE BOARD OF LICENSE COMMISSIONERS FOR
 28 BALTIMORE CITY A STATEMENT OF AVERAGE DAILY RECEIPTS AND AN AFFIDAVIT OF
 29 A LICENSED CERTIFIED PUBLIC ACCOUNTANT THAT VERIFY THAT THE LICENSEE
 30 HAS MET THE REQUIREMENT OF SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

31 3. A LICENSE MAY NOT BE TRANSFERRED FROM THE
 32 LOCATION OF ITS FIRST ISSUANCE.

33 4. A LICENSE MAY NOT BE ISSUED FOR USE IN AN
 34 ESTABLISHMENT THAT IS A FAST FOOD STYLE RESTAURANT.

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

