Unofficial Copy A2 2000 Regular Session 0lr0499

By: Montgomery County Delegation Introduced and read first time: February 11, 2000 Assigned to: Economic Matters A BILL ENTITLED 1 AN ACT concerning 2 Alcoholic Beverages - Montgomery County (Kensington) - Special B-K 3 License 4 MC 14-00 5 FOR the purpose of authorizing the Montgomery County Board of License Commissioners to issue a certain special alcoholic beverages license to certain 6 7 entities located in certain areas of the town of Kensington in Montgomery 8 County; establishing the privileges, terms, and conditions for the license; 9 submitting this Act to a referendum of the legally qualified voters of the town of 10 Kensington; and generally relating to alcoholic beverages in the town of 11 Kensington. 12 BY repealing and reenacting, with amendments, Article 2B - Alcoholic Beverages 13 14 Section 8-216(a)(2) Annotated Code of Maryland 15 16 (1998 Replacement Volume and 1999 Supplement) 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 18 MARYLAND, That the Laws of Maryland read as follows: 19 Article 2B - Alcoholic Beverages 20 8-216. Except as provided in subparagraphs (ii) [and], (iii), AND (IV) of 21 (a) 22 this paragraph, in Montgomery County, a license for the sale of alcoholic beverages 23 authorized by this article may not be issued for any place of business located in 24 Damascus (12th election district), and in the towns of Barnesville, Kensington, 25 Laytonsville, Washington Grove and the City of Takoma Park. 26 In the town of Barnesville, the Montgomery County Board of

27 License Commissioners may issue a special 7-day on-sale beer, wine, and liquor 28 license to any bona fide religious, fraternal, civic, or charitable organization.

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- 1 In the town of Kensington, the Montgomery County Board of (iii) 2 License Commissioners may issue a special 2-day on-sale beer, wine, and liquor 3 license to any bona fide religious, fraternal, civic, or charitable organization holding 4 an event on municipal property located at 3710 Mitchell Street, Kensington, 5 Maryland. 6 IN THE TOWN OF KENSINGTON, THE MONTGOMERY 7 COUNTY BOARD OF LICENSE COMMISSIONERS MAY ISSUE A SPECIAL B-K BEER, WINE 8 AND LIQUOR LICENSE FOR USE ON THE PREMISES OF A RESTAURANT LOCATED IN 9 THE FOLLOWING COMMERCIAL AREAS: THE WEST SIDE OF CONNECTICUT AVENUE BETWEEN 10 A. 11 KNOWLES AVENUE AND PERRY AVENUE: 12 B. THE EAST SIDE OF CONNECTICUT AVENUE BETWEEN 13 KNOWLES AVENUE AND DUPONT STREET AND BETWEEN UNIVERSITY BOULEVARD 14 AND PERRY AVENUE; 15 C. THE WEST SIDE OF UNIVERSITY BOULEVARD WEST; DUPONT AVENUE, WEST OF CONNECTICUT AVENUE: 16 D. 17 E. PLYERS MILL ROAD, WEST OF METROPOLITAN AVENUE; 18 F. SUMMIT AVENUE BETWEEN KNOWLES AVENUE AND 19 HOWARD AVENUE; 20 G. DETRICK AVENUE BETWEEN KNOWLES AVENUE AND 21 HOWARD AVENUE; OR 22 H. THE SOUTHWEST SIDE OF METROPOLITAN AVENUE 23 BETWEEN NORTH KENSINGTON PARKWAY AND PLYERS MILL ROAD. 24 A SPECIAL B-K BEER, WINE AND LIQUOR LICENSE 25 AUTHORIZES THE HOLDER TO KEEP FOR SALE AND SELL ALCOHOLIC BEVERAGES 26 FOR CONSUMPTION ON THE PREMISES ONLY. A LICENSEE SHALL MAINTAIN AVERAGE DAILY RECEIPTS 28 FROM THE SALE OF FOOD, NOT INCLUDING CARRYOUT FOOD, OF AT LEAST 70% OF 29 THE OVERALL AVERAGE DAILY RECEIPTS. SECTION 2. AND BE IT FURTHER ENACTED, That before this Act becomes 30 31 legally effective it shall first be submitted to a referendum of the legally qualified 32 voters of the town of Kensington at a special election in 2000, to be determined by the 33 Kensington Town Council and Mayor. The Kensington Town Council and the Mayor of
- 34 Kensington shall do those things necessary and proper to provide for and hold the
- 35 referendum required by this section. If a majority of the votes cast on the question are
- 36 "For the referred law" the provisions of this Act shall become effective on the 30th day
- 37 following the official canvass of votes for the referendum, but if a majority of the votes

- 1 cast on the question are "Against the referred law" the provisions of this Act are of no 2 effect and null and void.
- SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 2 of this Act and for the sole purpose of providing for the referendum required by Section 2 of this Act, this Act shall take effect June 1, 2000.