

HOUSE BILL 1026

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2000 Regular Session
(01r0529)

ENROLLED BILL

-- Economic Matters/Economic and Environmental Affairs --

Introduced by **Prince George's County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages - Additional Class B Licenses**
3 **PG 308-00**

4 FOR the purpose of authorizing the Prince George's County Board of License
5 Commissioners to allow certain individuals and entities to hold or have an
6 interest in more than one Class B beer, wine and liquor license for restaurants
7 that are located in certain areas under certain circumstances; providing for
8 certain exceptions; establishing an annual license fee for certain Class B
9 licenses; providing that a certain Class B license does not confer off-sale
10 privileges; providing that the issuance of certain Class B beer, wine and liquor
11 licenses is subject to a certain limitation on the number of certain Class B
12 licenses that can be issued in Prince George's County; and generally relating to
13 Class B beer, wine and liquor licenses in Prince George's County.

14 BY repealing and reenacting, without amendments,
15 Article 2B - Alcoholic Beverages

1 Section 6-201(r)(1) and 9-217(a)
2 Annotated Code of Maryland
3 (1998 Replacement Volume and 1999 Supplement)

4 BY adding to
5 Article 2B - Alcoholic Beverages
6 Section 9-217(f)(5)
7 Annotated Code of Maryland
8 (1998 Replacement Volume and 1999 Supplement)

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

11 **Article 2B - Alcoholic Beverages**

12 6-201.

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

14 (ii) 1. In this subsection the following words have the meanings
15 indicated.

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

17 3. "Restaurant" means any establishment:

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

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

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

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

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

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

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

17 2. PART OF THE PORT TOWNS BUSINESS DISTRICT,
18 CONSISTING OF PROPERTIES FRONTING ON OR HAVING ACCESS TO RHODE ISLAND
19 AVENUE, BLADENSBURG ROAD, ANNAPOLIS ROAD, OR 38TH STREET, IN LEGISLATIVE
20 DISTRICT 22; OR AND LOCATED WITHIN THE MUNICIPAL BOUNDARIES OR NORTH
21 BRENTWOOD, BLADENSBURG, COLMAR 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. 3. LARGO AREA, CONSISTING OF PROPERTIES WITHIN
27 THE AREA BOUNDED BY THE CAPITAL BELTWAY (I-495) ON THE WEST, CENTRAL
28 AVENUE AND LANDOVER ROAD ON THE SOUTH AND SOUTHEAST, CAMPUS WAY
29 NORTH ON THE EAST AND ROUTE 214 AND LANDOVER ROAD ON THE NORTH AND
30 NORTHWEST; ~~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, 2000.