
By: **Harford County Delegation**
Introduced and read first time: February 7, 2001
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 2001

CHAPTER _____

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages - Class BDR (Deluxe Restaurant)**
3 **Licenses**

4 FOR the purpose of creating in Harford County a special 7-day Class B (on-sale)
5 license known as the Class BDR (deluxe restaurant) beer, wine and liquor
6 license; restricting the issuance of a certain Class BDR license licenses for
7 restaurants that are located in a certain area of Harford County and that meet
8 certain requirements; setting a certain annual license fee; requiring the Liquor
9 Control Board to adopt certain regulations; exempting from certain stock
10 ownership requirements certain applicants for Class BDR licenses; authorizing
11 the Liquor Control Board to issue not more than ~~four~~ a certain number of
12 licenses of a certain class to an individual for the use of a sole proprietorship,
13 partnership, corporation, unincorporated association, or limited liability
14 company; defining certain terms; and generally relating to alcoholic beverages
15 licenses in Harford County.

16 BY repealing and reenacting, without amendments,
17 Article 2B - Alcoholic Beverages
18 Section 6-201(n)(1)
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2000 Supplement)

21 BY adding to
22 Article 2B - Alcoholic Beverages
23 Section 6-201(n)(6) and 9-213(j)
24 Annotated Code of Maryland
25 (1998 Replacement Volume and 2000 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article 2B - Alcoholic Beverages
3 Section 9-101(k)(7)(ii) and 9-213(e)
4 Annotated Code of Maryland
5 (1998 Replacement Volume and 2000 Supplement)

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

8 **Article 2B - Alcoholic Beverages**

9 6-201.

10 (n) (1) This subsection applies only in Harford County.

11 (6) (I) THERE IS A SPECIAL 7-DAY CLASS B (ON-SALE) LICENSE
12 KNOWN AS THE CLASS BDR (DELUXE RESTAURANT) BEER, WINE AND LIQUOR
13 LICENSE.

14 (II) THE LICENSE MAY BE ISSUED ONLY IN ACCORDANCE WITH THE
15 PROVISIONS OF THIS PARAGRAPH.

16 (III) A CURRENT HOLDER OF ANY TYPE OF CLASS B ALCOHOLIC
17 BEVERAGES LICENSE ISSUED IN HARFORD COUNTY MAY APPLY FOR AND BE ISSUED
18 A CLASS BDR (BEER, WINE AND LIQUOR) LICENSE ONLY IF THE RESTAURANT FOR
19 WHICH THE CLASS BDR LICENSE IS SOUGHT IS LOCATED WITHIN THE FOLLOWING
20 AREA OF HARFORD COUNTY:

21 1. ALL OF ELECTION DISTRICT 1, PRECINCTS 1, 3, 4, 5, 6, 10, 16,
22 AND 1-45, AS THAT ELECTION DISTRICT AND THOSE PRECINCTS EXISTED ON
23 JANUARY 1, 2001;

24 2. THAT THE AREA OF ELECTION DISTRICT 1, PRECINCT 2, AS
25 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT
26 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD
27 BEGINNING AT THE HARFORD COUNTY-BALTIMORE COUNTY BOUNDARY LINE AND
28 ENDING AT THE INTERSECTION WITH OLD MOUNTAIN ROAD; AND

29 3. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 7, AS
30 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT
31 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD
32 BEGINNING AT OLD MOUNTAIN ROAD AND ENDING AT WINTER'S RUN, WHICH IS THE
33 CREEK THAT FORMS THE EASTERN BOUNDARY OF PRECINCT 7 OF ELECTION
34 DISTRICT 1.

35 (IV) SUBJECT TO THE PROVISIONS OF SUBPARAGRAPH (V) OF THIS
36 PARAGRAPH, A PERSON THAT DOES NOT CURRENTLY HOLD ANY TYPE OF CLASS B
37 ALCOHOLIC BEVERAGES LICENSE IN HARFORD COUNTY MAY APPLY FOR AND BE
38 ISSUED A MAXIMUM OF TWO CLASS BDR LICENSES AS FOLLOWS:

1 1. A CLASS BDR LICENSE, REGARDLESS OF THE LOCATION
 2 OF THE RESTAURANT IN HARFORD COUNTY; AND

3 2. ONE ADDITIONAL CLASS BDR LICENSE, BUT ONLY IF THE
 4 LICENSE SOUGHT IS FOR A RESTAURANT THAT IS LOCATED WITHIN THE FOLLOWING
 5 AREA IN HARFORD COUNTY:

6 A. ALL OF ELECTION DISTRICT 1, PRECINCTS 1, 3, 4, 5, 6, 10, 16,
 7 AND 1-45, AS THAT ELECTION DISTRICT AND THOSE PRECINCTS EXISTED ON
 8 JANUARY 1, 2001;

9 B. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 2, AS
 10 THAT DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT IS SOUTH
 11 OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD BEGINNING AT
 12 THE HARFORD COUNTY-BALTIMORE COUNTY LINE AND ENDING AT THE
 13 INTERSECTION WITH OLD MOUNTAIN ROAD; AND

14 C. THAT AREA OF ELECTION DISTRICT 1, PRECINCT 7, AS
 15 THAT ELECTION DISTRICT AND THAT PRECINCT EXISTED ON JANUARY 1, 2001, THAT
 16 IS SOUTH OF A LINE THAT RUNS ALONG THE CENTER OF PHILADELPHIA ROAD
 17 BEGINNING AT OLD MOUNTAIN ROAD AND ENDING AT WINTER'S RUN, WHICH IS THE
 18 CREEK THAT FORMS THE EASTERN BOUNDARY OF PRECINCT 7 OF ELECTION
 19 DISTRICT 1.

20 (V) A PERSON THAT HAS OBTAINED A CLASS BDR LICENSE UNDER
 21 SUBPARAGRAPH (IV)1 OF THIS PARAGRAPH MAY NOT APPLY FOR AND OBTAIN ANY
 22 OTHER CLASS B LICENSE OTHER THAN A LICENSE OBTAINED IN ACCORDANCE WITH
 23 SUBPARAGRAPH (IV)2 OF THIS PARAGRAPH.

24 ~~(H)~~ (VI) THIS LICENSE MAY ONLY BE ISSUED TO RESTAURANTS
 25 THAT:

26 1. MEET THE DEFINITION REQUIREMENTS OF
 27 "RESTAURANT" ESTABLISHED UNDER THE REGULATIONS OF THE LIQUOR CONTROL
 28 BOARD;

29 2. HAVE A COCKTAIL LOUNGE OR BAR AREA SEATING
 30 CAPACITY NOT EXCEEDING 25% OF THE SEATING CAPACITY FOR DINING; AND

31 3. SUBJECT TO SUBPARAGRAPH ~~(H)~~ (VII) OF THIS
 32 PARAGRAPH, HAVE A MINIMUM CAPITAL INVESTMENT OF \$800,000 EXCLUSIVE OF
 33 THE COST OF THE LAND.

34 ~~(H)~~ (VII) FOR PURPOSES OF SUBPARAGRAPH ~~(H)~~ (VI) OF THIS
 35 PARAGRAPH:

36 1. "CAPITAL INVESTMENT" MEANS THE AMOUNT PAID TO
 37 ACQUIRE PROPERTY:

38 A. FOR A USEFUL LIFE OF GREATER THAN 1 YEAR; OR

1 B. FOR A PERMANENT IMPROVEMENT OR BETTERMENT OF
2 THE PROPERTY THAT HAS A USEFUL LIFE GREATER THAN 1 YEAR;

3 2. "COST OF LAND" INCLUDES:

4 A. THE PURCHASE PRICE, TAXES, AND FEES INCIDENTAL TO
5 THE PURCHASE, INCLUDING COSTS RELATED TO OBTAINING APPROPRIATE ZONING
6 AND LICENSING;

7 B. THE COSTS OF SITE GRADING, PREPARATION, PAVING,
8 SIDEWALKS, GUTTERS, CURBS, AND LANDSCAPING; AND

9 C. THE COST OF CONSTRUCTION AND INSTALLATION OF ALL
10 UTILITIES.

11 ~~(IV)~~ (VIII) 1. IF THE APPLICANT PURCHASES OR LEASES AN
12 EXISTING BUILDING, THE CAPITAL INVESTMENT ATTRIBUTABLE TO THE COST OF
13 THE LAND AND IMPROVEMENTS SHALL BE BASED ON THE ASSESSED VALUE OF THE
14 LAND AND IMPROVEMENTS IN ACCORDANCE WITH THE RECORDS OF THE STATE
15 DEPARTMENT OF ASSESSMENTS AND TAXATION AT THE TIME OF PURCHASE.

16 2. THE CAPITAL INVESTMENT IN OTHER THAN LAND OR
17 BUILDING SHELLS SHALL ALSO BE EVALUATED AT THE FAIR MARKET VALUE AT THE
18 TIME OF PURCHASE.

19 ~~(V)~~ (IX) THE ANNUAL LICENSEE FEE IS \$5,000.

20 ~~(VI)~~ (X) THE HOURS AND DAYS THAT A HOLDER MAY EXERCISE
21 THE PRIVILEGES OF SALE UNDER THIS LICENSE ARE THE SAME AS A CLASS B
22 (ON-SALE) BEER, WINE AND LIQUOR LICENSE.

23 ~~(VII)~~ (XI) A CLASS BDR LICENSE MAY BE ISSUED IN ADDITION TO
24 ANY OTHER ALCOHOLIC BEVERAGES LICENSE THAT THE APPLICANT HOLDS.

25 ~~(VIII)~~ (XII) THE LIQUOR CONTROL BOARD SHALL ADOPT
26 REGULATIONS TO ISSUE THE CLASS BDR LICENSE.

27 9-101.

28 (k) In Harford County, if the application is made for a corporation, whether
29 incorporated or unincorporated or for a limited liability company:

30 (7) (ii) Stock ownership requirements do not apply to an applicant for a
31 Class B hotel or restaurant beer, wine and liquor license [or], a Class BNR beer, wine
32 and liquor license, OR A CLASS BDR (ON-SALE) BEER, WINE AND LIQUOR LICENSE in
33 which:

34 1. A majority of the shares of stock are owned or controlled
35 either directly or indirectly by 1 or more corporations whose shares of stock are
36 authorized for sale by the Securities and Exchange Commission of the United States;

