

HOUSE BILL 804

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2001 Regular Session
11r1669
CF 11r1668

By: **Delegates Campbell, McIntosh, and Rosenberg**
Introduced and read first time: February 9, 2001
Assigned to: Economic Matters

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

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - Class A License Transfers**

3 FOR the purpose of exempting in Baltimore City from a prohibition against locating
4 licensed premises within a certain distance from a church or school, certain
5 Class A licenses transferred to a certain location under certain circumstances;
6 and generally relating to Class A licenses in Baltimore City.

7 BY repealing and reenacting, with amendments,
8 Article 2B - Alcoholic Beverages
9 Section 9-204.3
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2000 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 9-204.3.

16 (a) In Baltimore City, in the 2nd, 3rd, 4th, and 5th Legislative Districts as
17 they existed on January 1, 1972, and 47th Legislative District, no new license, or
18 removal of an existing license, shall be granted to sell alcoholic beverages in any
19 building located within 300 feet of the nearest point of the buildings of a church or
20 school, but the license of any person now holding a license for any building located
21 within such distance of the building grounds of a church or school may be renewed or
22 extended for the same building.

1 (b) The restrictions regarding distance do not apply to the following licenses,
2 which may be issued within the 300 feet limitation:

3 (1) Except in the 47th Legislative District, Class B beer and wine;

4 (2) Except in the 47th Legislative District, Class B beer, wine and liquor;

5 (3) Class C beer and wine; [and]

6 (4) Class C beer, wine and liquor; AND

7 (5) A CLASS A LICENSE THAT IS TRANSFERRED FROM WARD 12,
8 PRECINCT 1 TO A PROPERTY WITHIN A BLOCK SURROUNDED BY ELM AVENUE, BERRY
9 STREET, PAINE STREET AND WEST 37TH STREET, IF:

10 (I) THE TRANSFER HAS THE WRITTEN SUPPORT OF THE HAMPDEN
11 COMMUNITY COUNCIL, THE HAMPDEN VILLAGE MERCHANT'S ASSOCIATION, AND
12 HAMPDEN MAIN STREET; AND

13 (II) THE TRANSFER IS CONSISTENT WITH THE HAMPDEN URBAN
14 RENEWAL PLAN.

15 (c) Except in the 47th Legislative District, the governing body of any church in
16 writing may waive the restrictions of this section regarding licenses not specified in
17 subsection (b) with respect to cafes or restaurants located within 250 feet of a theater
18 having a capacity of not less than 300 seats, which theater is operated by a nonprofit
19 theater association.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2001.