
By: **Delegates Conway and Cane**
Introduced and read first time: February 9, 2001
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Wicomico County - Alcoholic Beverages - Restaurant License Fee**

3 FOR the purpose of altering the annual fee in Wicomico County for a Class B beer,
4 wine and liquor license for restaurants; and generally relating to alcoholic
5 beverages license fees in Wicomico County.

6 BY repealing and reenacting, without amendments,
7 Article 2B - Alcoholic Beverages
8 Section 6-201(x)(1)
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 2000 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article 2B - Alcoholic Beverages
13 Section 6-201(x)(2)
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

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

18 **Article 2B - Alcoholic Beverages**

19 6-201.

20 (x) (1) This subsection applies only in Wicomico County.

21 (2) (i) This paragraph applies solely to hotel and restaurant licenses.

22 (ii) The annual license fee is:

23 1. For a restaurant - [\$1,100] \$1,320; and

24 2. For a hotel - \$1,650.

- 1 (iii) 1. This license may be issued to a bona fide hotel which:
- 2 A. Is an establishment for the accommodation of the public
3 providing services ordinarily found in hotels; and
- 4 B. Is equipped with not fewer than 25 rooms, a lobby with
5 registration and mail desk and seating facilities and a dining room which serves
6 full-course meals at least twice daily.
- 7 2. A hotel license does not permit sales for consumption off
8 the premises.
- 9 (iv) 1. This license may be issued to a restaurant which:
- 10 A. Is a business establishment for the accommodation of the
11 public;
- 12 B. Is fully equipped with a proper and adequate dining room
13 with facilities for preparing and serving regular meals;
- 14 C. Has a regular seating capacity at tables (not including
15 seats at bars or counters) for 75 or more persons seated comfortably and adequately
16 and shall meet the minimum requirements of the fire code applicable to the
17 jurisdiction where the restaurant is located; and
- 18 D. Has the average daily receipts from the sale of foods for
19 each month exceed the average daily receipts from the sale of alcoholic beverages. In
20 calculating average daily receipts from the sale of foods, no allocation of foodstuff
21 contained in any mixed drink may be included in average daily receipts from the sale
22 of food.
- 23 2. The seating does not affect present Class B beer, wine and
24 liquor licensees.
- 25 3. This license requires the sale of alcoholic beverages for
26 consumption only on the inside of the restaurant premises. A person may not enter or
27 egress the premises while in possession of any alcoholic beverages.
- 28 (v) 1. Except for the purchase of beer and light wine, the holder
29 shall purchase all of the alcoholic beverages that are sold for consumption on the
30 premises from the County dispensary.
- 31 2. The County dispensary may not charge the holder more
32 than 15 percent above the wholesale operation cost to the dispensary for each item
33 that the holder purchases.
- 34 (vi) 1. "Lounge area" means a room or area that includes:
- 35 A. A bar where alcoholic beverages are served; and

1 B. An entertainment facility in the same room or area as the
2 bar, although entertainment need not be in progress.

3 2. The holder of this license may prohibit a person under the
4 legal drinking age in the State from entering the lounge area on the licensed premises
5 after 9:00 p.m., unless this person is accompanied by a parent or legal guardian who
6 is of the legal drinking age in the State.

7 3. The holder of this license may charge an entertainment
8 fee for each person who enters or who is present during the time live entertainment is
9 in progress in the lounge area.

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