
By: **Senators Mitchell, Conway, and McFadden**
Introduced and read first time: January 24, 2001
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages - Class LN License**

3 FOR the purpose of creating in Baltimore City a Class LN (Late Night) license;
4 authorizing the Board of Liquor License Commissioners to issue Class LN
5 licenses for certain licensed premises that are located in a certain zone; defining
6 the borders of the zone; specifying certain days and hours of sale for a premises
7 issued a Class LN license; establishing a certain closing time; specifying an
8 annual license fee; authorizing the Board of Liquor License Commissioners to
9 extend the zone under certain circumstances; establishing a certain age
10 restriction for persons entering or remaining on the licensed premises; providing
11 for certain penalties; providing for the termination of this Act; and generally
12 relating to Class LN alcoholic beverages licenses in Baltimore City.

13 BY repealing and reenacting, with amendments,
14 Article 2B - Alcoholic Beverages
15 Section 11-303(b)
16 Annotated Code of Maryland
17 (1998 Replacement Volume and 2000 Supplement)

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

20 **Article 2B - Alcoholic Beverages**

21 11-303.

22 (b) (1) The hours during which the privileges conferred by a Class B beer,
23 wine and liquor license may be exercised are from 6 a.m. to 2 a.m. on the following
24 day.

25 (2) In Annapolis the hours shall be as fixed by the Mayor, Counselor, and
26 Aldermen of the City of Annapolis.

27 (3) In Montgomery County, except as provided in § 11-516 of this article,
28 the hours are from 9 a.m. on any day to 1 a.m. on the following day.

1 (4) In the 47th alcoholic beverages district in Baltimore City, the hours
2 for off-sales under a Class B beer, wine and liquor license for use in a restaurant are
3 as provided for in § 6-201(d) of this article.

4 (5) (I) THIS PARAGRAPH APPLIES ONLY TO BALTIMORE CITY.

5 (II) THERE IS A CLASS LN (LATE NIGHT) (ON-SALE) LICENSE.

6 (III) THE BOARD OF LIQUOR LICENSE COMMISSIONERS MAY ISSUE A
7 CLASS LN LICENSE ONLY FOR A CLASS B OR CLASS B-D-7 LICENSED PREMISES THAT
8 IS LOCATED IN A ZONE BOUNDED:

9 1. ON THE NORTH, FROM THE 400 BLOCK OF WEST FRANKLIN
10 STREET TO THE 300 BLOCK OF EAST FRANKLIN STREET;

11 2. ON THE SOUTH, FROM THE 700 BLOCK OF EAST PRATT
12 STREET TO THE 400 BLOCK OF WEST PRATT STREET;

13 3. ON THE EAST, FROM THE 200 BLOCK OF PRESIDENT
14 STREET TO THE 500 BLOCK OF NORTH GUILFORD AVENUE; AND

15 4. ON THE WEST, FROM THE 200 BLOCK OF SOUTH EUTAW
16 STREET TO THE 500 BLOCK OF NORTH EUTAW STREET.

17 (IV) THE HOURS OF SALE FOR A PREMISES ISSUED A CLASS LN
18 LICENSE ARE:

19 1. FROM 6 A.M. FRIDAY TO 4 A.M. SATURDAY;

20 2. FROM 6 A.M. SATURDAY TO 4 A.M. SUNDAY; AND

21 3. FROM 6 A.M. SUNDAY TO 4 A.M. MONDAY.

22 (V) A LICENSED PREMISES MAY NOT REMAIN OPEN FOR ANY
23 PURPOSE FOR MORE THAN 1 HOUR AFTER THE HOURS AND DAYS FOR SALES SET
24 FORTH IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, EVEN THOUGH NO SALES ARE
25 MADE AFTER THE HOURS OF CLOSING.

26 (VI) A LICENSEE MAY NOT ALLOW A PERSON UNDER THE AGE OF 21
27 YEARS TO ENTER OR REMAIN IN AN AREA ON THE LICENSED PREMISES AFTER THE
28 LICENSEE, OR THE LICENSEE'S EMPLOYEE, KNEW OR SHOULD HAVE KNOWN THAT
29 THE PERSON WAS UNDER THE AGE OF 21 YEARS.

30 (VII) THE ANNUAL LICENSE FEE FOR A CLASS LN LICENSE IS THE
31 LESSER OF:

32 1. 10 TIMES THE ANNUAL FEE FOR THE UNDERLYING CLASS
33 B LICENSE OR CLASS B-D-7 LICENSE ALREADY HELD BY THE LICENSEE; OR

34 2. \$20,000.

1 (VIII) THE BOARD OF LIQUOR LICENSE COMMISSIONERS SHALL
2 EXTEND THE ZONE DESCRIBED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH TO
3 ENCOMPASS ANOTHER AREA IF:

4 1. 75% OR MORE OF PROPERTY OWNERS IN THE AREA SIGN A
5 PETITION IN FAVOR OF EXTENDING THE ZONE TO THEIR AREA; AND

6 2. THE PETITION IS VERIFIED AND SUBMITTED TO THE
7 BOARD OF LIQUOR LICENSE COMMISSIONERS.

8 (IX) A LICENSEE WHO IS CONVICTED OF A VIOLATION IN OR ON THE
9 LICENSED PREMISES OF ANY PROVISION OF THIS ARTICLE CONCERNING AN ILLEGAL
10 SALE OF ALCOHOLIC BEVERAGES IS SUBJECT TO LICENSE SUSPENSION OR
11 REVOCATION OF THE CLASS LN LICENSE AND TO A MINIMUM FINE OF:

12 1. \$1,000 FOR A FIRST OFFENSE; AND

13 2. SUBJECT TO SUBPARAGRAPH (X) OF THIS PARAGRAPH,
14 \$2,500 FOR A SECOND AND EACH SUBSEQUENT OFFENSE.

15 (X) A LICENSEE WHOSE FINES TOTAL NOT MORE THAN \$15,000
16 WITHIN 3 YEARS MAY NOT BE SUBJECT TO FURTHER FINES.

17 (XI) A LICENSEE WHO IS SUBJECT TO A FINE UNDER
18 SUBPARAGRAPH (IX) OF THIS PARAGRAPH IS NOT SUBJECT TO ANY OTHER FINE
19 ARISING FROM THE SAME VIOLATION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2001. It shall remain effective for a period of 3 years and, at the end of
22 September 30, 2004, with no further action required by the General Assembly, this
23 Act shall be abrogated and of no further force and effect.