
By: **Senators Brinkley and Mooney**
Introduced and read first time: February 5, 2004
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: March 9, 2004

CHAPTER _____

1 AN ACT concerning

2 **Frederick County - Alcoholic Beverages Licenses - Bed and Breakfast and**
3 **Country Inn Establishments**

4 FOR the purpose of establishing in Frederick County separate alcoholic beverages
5 licenses for bed and breakfast and country inn establishments; establishing
6 certain license requirements and restrictions on the use of the licenses;
7 specifying certain license fees; requiring that the licenses be voided and
8 returned to the Board of License Commissioners under certain circumstances;
9 authorizing the Board to adopt certain regulations; and generally relating to
10 alcoholic beverages licenses in Frederick County.

11 BY repealing and reenacting, without amendments,
12 Article 2B - Alcoholic Beverages
13 Section 6-201(1)(1)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article 2B - Alcoholic Beverages
18 Section 6-201(1)(3)(i)
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 Supplement)

21 BY adding to
22 Article 2B - Alcoholic Beverages
23 Section 6-201(1)(6) and (7)

1 Annotated Code of Maryland
2 (2001 Replacement Volume and 2003 Supplement)

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

5 **Article 2B - Alcoholic Beverages**

6 6-201.

7 (l) (1) This subsection applies only in Frederick County.

8 (3) (i) Any bona fide hotel or motel may obtain a special Class B
9 (on-sale) beer, wine and liquor license issued by the Board of License Commissioners
10 providing:

11 1. It is an establishment for the accommodation of the public
12 providing services ordinarily found in bona fide hotels and motels;

13 2. It contains no less than 15 rooms [or, if a bed and
14 breakfast-type facility, 8 rooms];

15 3. It contains a dining room with facilities for preparing and
16 serving full-course meals for at least 50 persons at one seating; and

17 4. The capital investment in the hotel or motel facility is not
18 less than \$400,000.

19 (6) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS
20 B-BB (BED AND BREAKFAST) ON-SALE BEER, WINE AND LIQUOR LICENSE FOR THE
21 USE OF AN ESTABLISHMENT THAT:

22 1. PROVIDES SERVICES ORDINARILY FOUND IN A BED AND
23 BREAKFAST ESTABLISHMENT; AND

24 2. CONTAINS AT LEAST ONE ROOM WITH SLEEPING
25 ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT QUARTERS, THAT THE
26 PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED TIME.

27 (II) THE HOLDER OF A CLASS B-BB LICENSE MAY SELL ALCOHOLIC
28 BEVERAGES ONLY:

29 1. FOR CONSUMPTION ON THE PREMISES DURING THE
30 HOURS AND DAYS THAT ARE PERMITTED FOR A CLASS B ON-SALE BEER, WINE AND
31 LIQUOR LICENSE ISSUED IN THE COUNTY; AND

32 2. TO A GUEST WHOSE NAME AND ADDRESS APPEARS ON
33 THE REGISTRY THAT IS MAINTAINED BY THE ESTABLISHMENT AND WHO IS AN
34 OCCUPANT OF A SLEEPING ROOM IN THE ESTABLISHMENT.

1 (III) THE HOLDER OF A CLASS B-BB LICENSE MAY NOT SELL
2 ALCOHOLIC BEVERAGES TO A PERSON WHO IS REGISTERED AT THE ESTABLISHMENT
3 ONLY TO OBTAIN ALCOHOLIC BEVERAGES.

4 (IV) THE ANNUAL LICENSE FEE IS \$500.

5 (V) IF AN ESTABLISHMENT ENDS OPERATIONS AS A BED AND
6 BREAKFAST ESTABLISHMENT:

7 1. THE B-BB LICENSE IS VOIDED; AND

8 2. THE HOLDER SHALL RETURN THE B-BB LICENSE TO THE
9 BOARD OF LICENSE COMMISSIONERS.

10 (VI) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT
11 REGULATIONS TO CARRY OUT THIS PARAGRAPH.

12 (7) (I) THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE A CLASS
13 B-CI (COUNTRY INN) ON-SALE BEER, WINE AND LIQUOR LICENSE FOR THE USE OF
14 AN ESTABLISHMENT THAT:

15 1. PROVIDES SERVICES ORDINARILY FOUND IN A COUNTRY
16 INN ESTABLISHMENT;

17 2. CONTAINS AT LEAST EIGHT ROOMS WITH SLEEPING
18 ACCOMMODATIONS, EXCLUDING RESIDENT MANAGEMENT QUARTERS, THAT THE
19 PUBLIC FOR CONSIDERATION MAY USE FOR A SPECIFIED TIME; AND

20 3. HAS A KITCHEN FACILITY FOR GUESTS THAT IS SEPARATE
21 FROM THE KITCHEN FACILITY OF THE RESIDENT MANAGEMENT QUARTERS.

22 (II) THE HOLDER OF A CLASS B-CI LICENSE MAY SELL ALCOHOLIC
23 BEVERAGES ONLY:

24 1. FOR CONSUMPTION ON THE PREMISES DURING THE
25 HOURS AND DAYS THAT ARE PERMITTED FOR A CLASS B ON-SALE BEER, WINE AND
26 LIQUOR LICENSE ISSUED IN THE COUNTY; AND

27 2. WHEN ACCOMMODATING THE PUBLIC FOR BANQUETS,
28 PARTIES, MEETINGS, AND SIMILAR FUNCTIONS.

29 (III) THE ANNUAL LICENSE FEE IS \$2,500.

30 (IV) IF AN ESTABLISHMENT ENDS OPERATIONS AS A COUNTRY INN
31 FACILITY:

32 1. THE B-CI LICENSE IS VOIDED; AND

33 2. THE HOLDER SHALL RETURN THE B-CI LICENSE TO THE
34 BOARD OF LICENSE COMMISSIONERS.

1 (V) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT
2 REGULATIONS TO CARRY OUT THIS PARAGRAPH.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 June 1, 2004.