

SENATE BILL 797

Unofficial Copy  
A2

2004 Regular Session  
(4lr2700)

**ENROLLED BILL**

-- Education, Health, and Environmental Affairs/Economic Matters --

Introduced by **Chairman, Baltimore County Senators (By Request - Baltimore County Administration)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore County - Alcoholic Beverages - Additional Class B (Restaurant)**  
3 **License**

4 FOR the purpose of authorizing an individual, for the use of certain business entities,  
5 to obtain an additional Class B license in Baltimore County, up to a total of a  
6 certain number of Class B (on-sale) (hotels and restaurants) licenses by making  
7 application in the regular manner and paying the usual fee and if the restaurant  
8 for which the additional license authorized by this Act is sought meets certain  
9 requirements; providing for the construction of this Act; and generally relating  
10 to alcoholic beverages licenses in Baltimore County.

11 BY adding to  
12 Article 2B - Alcoholic Beverages  
13 Section 9-102(b-3C)  
14 Annotated Code of Maryland  
15 (2001 Replacement Volume and 2003 Supplement)

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

3 **Article 2B - Alcoholic Beverages**

4 9-102.

5 (B-3C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR  
6 § 8-204(L) OF THIS ARTICLE, IN BALTIMORE COUNTY, AN INDIVIDUAL, FOR THE USE  
7 OF A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION, UNINCORPORATED  
8 ASSOCIATION, OR LIMITED LIABILITY COMPANY IN THE COUNTY, MAY OBTAIN AN  
9 ADDITIONAL CLASS B LICENSE UP TO A TOTAL OF ~~FOUR~~ FIVE CLASS B (ON-SALE -  
10 HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSES UNDER THIS  
11 ARTICLE, BY MAKING APPLICATION IN THE REGULAR MANNER AND PAYING THE  
12 USUAL FEE IF THE ~~RESTAURANTS~~ RESTAURANT FOR WHICH THE ADDITIONAL  
13 ~~LICENSES ARE~~ LICENSE IS SOUGHT:

14 (I) ~~MEET~~ MEETS THE REQUIREMENTS OF THE RULES AND  
15 REGULATIONS OF THE BOARD OF LICENSE COMMISSIONERS REGARDING THE  
16 AVAILABILITY AND ISSUANCE OF LICENSES;

17 (II) ~~MEET~~ MEETS THE DEFINITION REQUIREMENTS OF  
18 "RESTAURANT" ESTABLISHED UNDER THE REGULATIONS OF THE BOARD OF LICENSE  
19 COMMISSIONERS;

20 (III) ~~HAVE~~ HAS A MINIMUM SEATING CAPACITY OF 190 PERSONS  
21 FOR DINING;

22 (IV) ~~HAVE~~ HAS A COCKTAIL LOUNGE OR BAR AREA SEATING  
23 CAPACITY THAT DOES NOT EXCEED 10 PERCENT OF THE SEATING CAPACITY FOR  
24 DINING;

25 (V) ~~HAVE~~ HAS NO MORE THAN 20 PERCENT OF SALES IN  
26 ALCOHOLIC BEVERAGES IN CONNECTION WITH THE BUSINESS; AND

27 (VI) ~~ARE~~ IS LOCATED IN THE LIBERTY ROAD COMMERCIAL  
28 REVITALIZATION DISTRICT AS DEFINED BY THE COUNTY COUNCIL ON OCTOBER 18,  
29 1999.

30 (2) OFF-SALE PRIVILEGES MAY NOT BE CONFERRED BY THESE  
31 LICENSES.

32 ~~(2)~~ (3) NOTHING CONTAINED IN THIS SECTION MAY BE CONSTRUED  
33 TO AUTHORIZE THE ISSUANCE OF MORE THAN FIVE LICENSES TO AN INDIVIDUAL  
34 FOR THE USE OF A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION,  
35 UNINCORPORATED ASSOCIATION, OR LIMITED LIABILITY COMPANY IN THE COUNTY  
36 UNDER THIS ARTICLE, INCLUDING CLASS B (HOTELS AND RESTAURANTS) BEER,  
37 WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (SB) (RESTAURANT - SERVICE BAR)  
38 BEER, WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (TTC) (RESTAURANT) BEER,  
39 WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (OMTC) LICENSES, CLASS B (TRD)

1 LICENSES, AND CLASS BDR (DELUXE RESTAURANT) BEER, WINE AND LIQUOR  
2 (ON-SALE) LICENSES.

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