

SENATE BILL 797

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A2

2004 Regular Session
4r2700
CF 4r2701

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

Introduced and read first time: February 16, 2004

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 23, 2004

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2004

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)

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 9-102.

20 (B-3C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR
21 § 8-204(L) OF THIS ARTICLE, IN BALTIMORE COUNTY, AN INDIVIDUAL, FOR THE USE

1 OF A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION, UNINCORPORATED
 2 ASSOCIATION, OR LIMITED LIABILITY COMPANY IN THE COUNTY, MAY OBTAIN AN
 3 ADDITIONAL CLASS B LICENSE UP TO A TOTAL OF ~~FOUR~~ FIVE CLASS B (ON-SALE -
 4 HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSES UNDER THIS
 5 ARTICLE, BY MAKING APPLICATION IN THE REGULAR MANNER AND PAYING THE
 6 USUAL FEE IF THE ~~RESTAURANTS~~ RESTAURANT FOR WHICH THE ~~LICENSES ARE~~
 7 LICENSE IS SOUGHT:

8 (I) ~~MEET~~ MEETS THE REQUIREMENTS OF THE RULES AND
 9 REGULATIONS OF THE BOARD OF LICENSE COMMISSIONERS REGARDING THE
 10 AVAILABILITY AND ISSUANCE OF LICENSES;

11 (II) ~~MEET~~ MEETS THE DEFINITION REQUIREMENTS OF
 12 "RESTAURANT" ESTABLISHED UNDER THE REGULATIONS OF THE BOARD OF LICENSE
 13 COMMISSIONERS;

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

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

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

21 (VI) ~~ARE~~ IS LOCATED IN THE LIBERTY ROAD COMMERCIAL
 22 REVITALIZATION DISTRICT AS DEFINED BY THE COUNTY COUNCIL ON OCTOBER 18,
 23 1999.

24 (2) OFF-SALE PRIVILEGES MAY NOT BE CONFERRED BY THESE
 25 LICENSES.

26 (⇒) (3) NOTHING CONTAINED IN THIS SECTION MAY BE CONSTRUED
 27 TO AUTHORIZE THE ISSUANCE OF MORE THAN FIVE LICENSES TO AN INDIVIDUAL
 28 FOR THE USE OF A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION,
 29 UNINCORPORATED ASSOCIATION, OR LIMITED LIABILITY COMPANY IN THE COUNTY
 30 UNDER THIS ARTICLE, INCLUDING CLASS B (HOTELS AND RESTAURANTS) BEER,
 31 WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (SB) (RESTAURANT - SERVICE BAR)
 32 BEER, WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (TTC) (RESTAURANT) BEER,
 33 WINE AND LIQUOR (ON-SALE) LICENSES, CLASS B (OMTC) LICENSES, CLASS B (TRD)
 34 LICENSES, AND CLASS BDR (DELUXE RESTAURANT) BEER, WINE AND LIQUOR
 35 (ON-SALE) LICENSES.

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

