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By: **Harford County Delegation**

Introduced and read first time: January 31, 2005

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2005

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages - Special Class B (Inn) License -**  
3 **Modifications**

4 FOR the purpose of repealing current provisions of law relating to the 7-day special  
5 Class B (inn) on-sale beer and light wine license in Harford County;  
6 establishing a 7-day special Class B (inn) on-sale beer, wine and liquor license  
7 in the county; providing a minimum number of rooms or suites and certain other  
8 requirements an inn must have to qualify to be licensed under this Act;  
9 providing for certain fees for licenses issued under this Act; authorizing the  
10 holder of a license under this Act to hold catered events that are catered by the  
11 license holder on the premises of the licensed establishment; authorizing the  
12 holder of a license under this Act to allow nonguests to patronize the  
13 establishment and have certain alcoholic beverages delivered to them under  
14 certain circumstances; providing that if a licensed establishment ceases to  
15 operate as an inn, the license is void and shall be returned to the Harford  
16 County Liquor Control Board; requiring the Board to adopt certain regulations;  
17 and generally relating to special Class B (inn) on-sale beer, wine and liquor  
18 licenses in Harford County.

19 BY repealing  
20 Article 2B - Alcoholic Beverages  
21 Section 5-201(n)(6)  
22 Annotated Code of Maryland  
23 (2001 Replacement Volume and 2004 Supplement)

24 BY repealing and reenacting, without amendments,  
25 Article 2B - Alcoholic Beverages

1 Section 6-201(n)(1)  
2 Annotated Code of Maryland  
3 (2001 Replacement Volume and 2004 Supplement)

4 BY adding to  
5 Article 2B - Alcoholic Beverages  
6 Section 6-201(n)(7)  
7 Annotated Code of Maryland  
8 (2001 Replacement Volume and 2004 Supplement)

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

11 **Article 2B - Alcoholic Beverages**

12 5-201.

13 (n) [(6) (i) In this paragraph, "guest" means persons whose names and  
14 addresses appear on the registry that is maintained by the establishment. It does not  
15 include persons who are registered solely for the purpose of obtaining alcoholic  
16 beverages.

17 (ii) The Liquor Control Board may issue a 7-day special Class B  
18 (inn) on-sale beer and light wine license.

19 (iii) To qualify for this license the applicant's establishment shall:

- 20 1. Be a historic structure;
- 21 2. Be approved by the appropriate governing authority to  
22 operate as an inn;
- 23 3. Have a minimum of 4 rooms but no more than 10 rooms,  
24 excluding the resident management quarters, which the public, for consideration,  
25 may use for sleeping accommodations for a specified period of time;
- 26 4. Have a seated dining capacity of not more than 40; and
- 27 5. Have a kitchen facility that has been approved by the local  
28 governing authority.

29 (iv) The holder of a 7-day special Class B (inn) license may sell only  
30 in conjunction with a meal beer and light wine to guests for consumption on the  
31 premises during the days and hours established for a Class B on-sale beer and wine  
32 license for Harford County under this article.

33 (v) The annual fee for a 7-day special Class B (inn) license is \$950.

1 (vi) The Liquor Control Board may adopt additional regulations  
2 consistent with this subsection.

3 (vii) If an establishment ceases to be operated as an inn, the 7-day  
4 special Class B (inn) license shall be void.

5 (viii) 1. The special Class B (inn) license also authorizes the holder  
6 to keep for sale and sell beer, wine, and liquor for on-premises consumption during  
7 catered events that are catered by the licensee at the inn establishment if the licensee  
8 is under contract to cater the event.

9 2. Food shall be served at all catered events where alcoholic  
10 beverages are provided or sold.

11 3. The Liquor Control Board shall adopt regulations to  
12 ensure that the primary purpose of the special Class B (inn) license is to permit the  
13 licensee to operate as a historic inn.]

14 6-201.

15 (n) (1) This subsection applies only in Harford County.

16 (7) (I) IN THIS PARAGRAPH, "GUEST" MEANS AN INDIVIDUAL WHOSE  
17 NAME AND ADDRESS APPEAR ON THE REGISTRY THAT IS MAINTAINED BY THE  
18 ESTABLISHMENT.

19 (II) THE LIQUOR CONTROL BOARD MAY ISSUE A 7-DAY SPECIAL  
20 CLASS B (INN) ON-SALE BEER, WINE AND LIQUOR LICENSE.

21 (III) TO QUALIFY FOR THE ISSUANCE OR REISSUANCE OF A SPECIAL  
22 CLASS B (INN) LICENSE, THE ESTABLISHMENT OF THE APPLICANT OR THE SPECIAL  
23 CLASS B (INN) LICENSE HOLDER SHALL:

24 1. BE APPROVED BY THE APPROPRIATE GOVERNING  
25 AUTHORITY TO OPERATE AS AN INN;

26 2. HAVE A MINIMUM OF 11 ROOMS OR SUITES, EXCLUDING  
27 THE RESIDENT MANAGEMENT QUARTERS, WHICH THE PUBLIC, FOR  
28 CONSIDERATION, MAY USE AS GUESTS FOR SLEEPING ACCOMMODATIONS FOR A  
29 SPECIFIED PERIOD OF TIME;

30 3. HAVE A SEATED DINING CAPACITY OF A SUFFICIENT SIZE  
31 TO ACCOMMODATE OVERNIGHT GUESTS AND DINNER PATRONS WHO ARE  
32 PARTICIPATING IN REGULAR MEALS AND SPECIAL DINNER EVENTS ON THE  
33 PREMISES OF THE ESTABLISHMENT AS ALLOWED UNDER SUBPARAGRAPH (VI) OF  
34 THIS PARAGRAPH; AND

35 4. HAVE A KITCHEN FACILITY THAT HAS BEEN APPROVED  
36 BY THE LOCAL GOVERNING AUTHORITY.

1 (IV) THE HOLDER OF A 7-DAY SPECIAL CLASS B (INN) LICENSE MAY  
2 SELL, ONLY IN CONJUNCTION WITH A MEAL, ALCOHOLIC BEVERAGES TO GUESTS  
3 FOR CONSUMPTION ON THE PREMISES DURING THE DAYS AND HOURS ESTABLISHED  
4 FOR A CLASS B ON-SALE BEER, WINE AND LIQUOR LICENSE FOR HARFORD COUNTY  
5 UNDER THIS ARTICLE.

6 (V) THE ANNUAL FEE FOR A 7-DAY SPECIAL CLASS B (INN) LICENSE  
7 IS:

8 1. FOR AN ESTABLISHMENT THAT HAS 11 THROUGH 24  
9 ROOMS OR SUITES, \$2,500; AND

10 2. FOR AN ESTABLISHMENT THAT HAS 25 OR MORE ROOMS  
11 OR SUITES, \$3,295.

12 (VI) 1. THE SPECIAL CLASS B (INN) LICENSE AUTHORIZES THE  
13 HOLDER OF THE LICENSE TO:

14 A. CONDUCT SPECIAL DINNER EVENTS ON THE PREMISES OF  
15 THE ESTABLISHMENT;

16 B. ALLOW INDIVIDUALS WHO ARE NOT GUESTS TO  
17 PATRONIZE THE ESTABLISHMENT FOR REGULAR AND SPECIAL DINNER MEALS; AND

18 C. ALLOW GUESTS IN BUILDINGS THAT ARE CONSIDERED  
19 PART OF THE INN ESTABLISHMENT OPERATION AND ARE WITHIN A REASONABLE  
20 DISTANCE FROM THE INN ESTABLISHMENT TO HAVE ALCOHOLIC BEVERAGES  
21 DELIVERED TO THEM IN SEALED PACKAGES BY THE LICENSED INN ESTABLISHMENT.

22 2. FOR PURPOSES OF SUBSUBPARAGRAPH 1C OF THIS  
23 SUBPARAGRAPH, A BUILDING THAT IS WITHIN A REASONABLE DISTANCE FROM THE  
24 INN ESTABLISHMENT MEANS A BUILDING THAT IS LOCATED WITHIN THE SAME MAIL  
25 UNIT NUMBER AS THE INN ESTABLISHMENT OR IS NOT MORE THAN ONE-EIGHTH OF  
26 A MILE FROM THE INN ESTABLISHMENT.

27 (VII) AT NO TIME MAY ALCOHOLIC BEVERAGES IN OPEN  
28 CONTAINERS BE TRANSFERRED, CARRIED, TAKEN, OR DELIVERED TO, FROM, OR  
29 BETWEEN THE INN ESTABLISHMENT AND OTHER BUILDINGS THAT ARE  
30 CONSIDERED PART OF THE INN ESTABLISHMENT OPERATIONS.

31 (VIII) THE HOLDER OF A SPECIAL CLASS B (INN) LICENSE MAY NOT  
32 SELL ALCOHOLIC BEVERAGES TO A PERSON WHO:

33 1. IS NOT A GUEST OR A PATRON OF THE DINING FACILITY  
34 OF THE ESTABLISHMENT; OR

35 2. IS A GUEST REGISTERED AT THE ESTABLISHMENT ONLY  
36 FOR THE PURPOSE OF OBTAINING ALCOHOLIC BEVERAGES.

1 (IX) THE HOLDER OF A SPECIAL CLASS B (INN) LICENSE MAY SERVE  
2 ALCOHOLIC BEVERAGES TO GUESTS AND DINNER PATRONS ON A PATIO, DECK,  
3 TERRACE, OR THE GROUNDS OR OTHER OUTDOOR AREA THAT IS AN INTEGRAL PART  
4 OF THE PREMISES OF THE INN ESTABLISHMENT ONLY WITH THE PRIOR APPROVAL  
5 OF THE LIQUOR CONTROL BOARD.

6 (X) 1. SUBJECT TO THE REQUIREMENT OF SUBSUBPARAGRAPH  
7 2 OF THIS SUBPARAGRAPH, THE SPECIAL CLASS B (INN) LICENSE AUTHORIZES THE  
8 HOLDER OF THE LICENSE TO KEEP FOR SALE AND SELL BEER, WINE, AND LIQUOR  
9 FOR ON-PREMISES CONSUMPTION DURING CATERED EVENTS THAT ARE CATERED  
10 BY THE LICENSE HOLDER AT THE INN ESTABLISHMENT IF THE LICENSE HOLDER IS  
11 UNDER CONTRACT TO CATER THE EVENT.

12 2. FOOD MUST BE SERVED AT ALL CATERED EVENTS AT THE  
13 INN ESTABLISHMENT AT WHICH ALCOHOLIC BEVERAGES ARE PROVIDED OR SOLD.

14 (XI) 1. AT NO TIME MAY AN INN BE OPERATED SOLELY FOR THE  
15 PURPOSE OF SELLING OR PROVIDING ALCOHOLIC BEVERAGES.

16 2. IF AN ESTABLISHMENT CEASES TO BE OPERATED AS AN  
17 INN:

18 A. THE 7-DAY SPECIAL CLASS B (INN) LICENSE IS VOID; AND

19 B. THE LICENSE HOLDER SHALL RETURN THE LICENSE TO  
20 THE LIQUOR CONTROL BOARD.

21 (XII) THE LIQUOR CONTROL BOARD SHALL ADOPT REGULATIONS TO:

22 1. IMPLEMENT THE PROVISIONS OF THIS PARAGRAPH; AND

23 2. ENSURE THAT THE PRIMARY PURPOSE OF THE SPECIAL  
24 CLASS B (INN) LICENSE IS TO ALLOW THE HOLDER OF THE LICENSE TO OPERATE AN  
25 ESTABLISHMENT AS AN INN.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2005.