
By: **Montgomery County Delegation**
Introduced and read first time: February 1, 2005
Assigned to: Economic Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 15, 2005

CHAPTER_____

1 AN ACT concerning

2 **Montgomery County - Alcoholic Beverages - Licensed Premises Near Public**
3 **Libraries**
4 **MC 507-05**

5 FOR the purpose of removing the prohibition in Montgomery County against the
6 issuance of alcoholic beverages licenses for premises within a certain distance of
7 public libraries; making certain stylistic changes; and generally relating to
8 premises licensed to sell alcoholic beverages in Montgomery County.

9 BY repealing and reenacting, with amendments,
10 Article 2B - Alcoholic Beverages
11 Section 9-216(a)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2004 Supplement)

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

16 **Article 2B - Alcoholic Beverages**

17 9-216.

18 (a) (1) The Montgomery County Board of License Commissioners may not
19 issue any license to sell alcoholic beverages within 750 feet of any secondary or
20 elementary school, church or other place of worship, [public library] or youth center
21 sponsored or conducted by any governmental agency.

1 (2) Measurement of the required distance shall be made from the
2 nearest point of the building of the proposed establishment for which the license is
3 requested to the nearest point of the building of the school, church or other place of
4 worship, [public library] or youth center.

5 (3) The Board of License Commissioners may within its discretion and
6 by unanimous action of the Board approve the application for any license to sell
7 alcoholic beverages more than 300 feet from any elementary or secondary school,
8 church or other place of worship, [public library,] or youth center sponsored or
9 conducted by any governmental agency provided that the land upon which the
10 building is situated in which the licensee would operate is classified in a commercial
11 or industrial zone under the applicable zoning ordinance and is adjacent [and/or] OR
12 contiguous to other land which is similarly classified under said zoning ordinance.

13 (4) Nothing in this section shall apply to or affect or prohibit, in any
14 manner, the renewal, transfer, or reissuance of a prior license of any license of any
15 establishment where subsequent to the original granting of [said] THE license a
16 school, church or other place of worship, [public library] or youth center was erected
17 within 750 feet of the establishment.

18 (5) For the purposes of this section, reissuance shall be limited to a new
19 license for the establishment issued within [one (1)] 1 year from the date of
20 expiration or revocation of a prior license provided the revocation did not result from
21 acts of the owner of the establishment.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 2005.