
By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2005

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Alcoholic Beverages Licenses - Food Sales**
3 **Requirement for Restaurants**
4 **PG 303-05**

5 FOR the purpose of requiring in Prince George's County that a holder of an alcoholic
6 beverages restaurant license seeking an off-sale privilege show evidence that
7 the daily food receipts at the restaurant for which the privilege is sought at least
8 equal a certain percentage of the restaurant's total daily receipts over a certain
9 time; repealing an obsolete reference; altering a certain definition; making
10 certain stylistic changes; and generally relating to restaurants licensed to sell
11 alcoholic beverages in Prince George's County.

12 BY repealing and reenacting, with amendments,
13 Article 2B - Alcoholic Beverages
14 Section 6-201(r)(1) and (2)
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2004 Supplement)

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

19 **Article 2B - Alcoholic Beverages**

20 6-201.

21 (r) (1) (i) This subsection applies only in Prince George's County.

22 (ii) 1. In this subsection the following words have the meanings
23 indicated.

24 2. "Board" means the Board of License Commissioners.

25 3. "Restaurant" means any establishment:

1 A. Located in a permanent building with ample space and
2 accommodations commonly known as a restaurant where hot meals are habitually
3 prepared, sold and served to the public during the hours it is regularly open for
4 business;

5 B. Having at least the minimum sanitary facilities required
6 for an establishment by the regulations of the county health department and shall
7 meet the minimum health requirements of these regulations;

8 C. Having a dining area or areas with sufficient tables,
9 chairs or booths to comfortably seat and accommodate patrons;

10 D. Equipped with a kitchen having complete facilities and
11 utensils for preparing hot and cold meals to the public, INCLUDING A REFRIGERATOR
12 AND A GAS OR ELECTRIC STOVE;

13 E. Employing a sufficient number of cooks, waiters or
14 waitresses to serve the number of patrons provided for in the dining area or areas;
15 and

16 F. Maintaining and displaying a menu advertising the
17 serving of a variety of hot meals. There shall be on the premises at all times sufficient
18 food to fill orders made from the menu.

19 (2) (i) [1. The annual license fee is \$1,320.] TO QUALIFY FOR A
20 PRIVILEGE FOR A RESTAURANT UNDER THIS PARAGRAPH, A LICENSE HOLDER SHALL
21 SHOW EVIDENCE TO THE BOARD THAT THE AVERAGE DAILY RECEIPTS OF THE
22 RESTAURANT FROM THE SALE OF FOOD ARE AT LEAST 51% OF ITS TOTAL DAILY
23 RECEIPTS FOR AT LEAST 6 MONTHS BEFORE THE APPLICATION FOR THE PRIVILEGE
24 IS SUBMITTED.

25 [2.] (II) 1. [The licensee] A LICENSE HOLDER may not
26 make any sale of alcoholic beverages for consumption off the licensed premises except
27 from the main bar and within the main portion of the dining room facilities.

28 2. THE ANNUAL LICENSE FEE FOR THIS PRIVILEGE IS \$1,320.

29 [(ii)] (III) 1. A separate license fee may be charged whenever the
30 [applicant for or] holder of a Class B (on-sale) beer, wine and liquor license proposes
31 to or in fact establishes and conducts on the licensed premises, an area or portion of
32 these licensed premises, where there are maintained "off-sale" shelves or counters
33 not contained within and an integral part of the main bar and in the main dining
34 facilities where the majority of the meals are served and consumed in the licensed
35 premises (whether enclosed or opened, partitioned or otherwise partly separated from
36 the main bar or the usual serving area within these premises for the sale of alcoholic
37 beverages for consumption on the premises and not part of the premises where the
38 major portion of meals are served and consumed in these licensed premises) for the
39 sale of alcoholic beverages for consumption off the licensed premises.

40 2. The annual license fee FOR THIS PRIVILEGE is \$2,200.

