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 3 4	Prince George's County - Alcoholic Beverages Licenses - Food Sales Requirement for Restaurants PG 303-05								
5 6 7 8 9 10 11	 the daily food receipts at the restaurant for which the privilege is sought at least equal a certain percentage of the restaurant's total daily receipts over a certain time; repealing an obsolete reference; altering a certain definition; making certain stylistic changes; and generally relating to restaurants licensed to sell 								
12 13 14 15 16	4 Section 6-201(r)(1) and (2) 5 Annotated Code of Maryland								
17 18	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:								
19					Article 2B - Alcoholic Beverages				
20	6-201.								
21	(r)	(1)	(i)	This su	bsection applies only in Prince George's County.				
22 23	indicated.		(ii)	1.	In this subsection the following words have the meanings				
24				2.	"Board" means the Board of License Commissioners.				
25				3.	"Restaurant" means any establishment:				

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1 Located in a permanent building with ample space and A. 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 Having at least the minimum sanitary facilities required Β. 6 for an establishment by the regulations of the county health department and shall 7 meet the minimum health requirements of these regulations; Having a dining area or areas with sufficient tables, 8 C. 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 Maintaining and displaying a menu advertising the F. serving of a variety of hot meals. There shall be on the premises at all times sufficient 17 food to fill orders made from the menu. 18 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 [The licensee] A LICENSE HOLDER may not [2.](II) 1. 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 The annual license fee FOR THIS PRIVILEGE is \$2,200. 2.

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1 [(iii)] (IV) 1. The license holder under this subsection may sell 2 alcoholic beverages for consumption off the premises from any portion of these 3 premises other than from the main bar, or the usual place maintained for sale of 4 alcoholic beverages for consumption on the premises and where the major portion of 5 the meals are consumed in these premises.							
6		2.	The annual license fee for this privilege is \$2,200.				
 [(iv)] (V) The number of licenses which are permitted to have any off-sale privileges referred to in this subsection are limited to those licenses having the permit and facilities on May 28, 1969. 							
1011 shall be reported to th	[(v)] e Board	(VI) promptly	Any interruption of restaurant facilities for any reason				
1213 construed to be a restance	[(vi)] aurant.	(VII)	Any drug, candy or confectionery store may not be				
14 [(vii)] (VIII) On and after May 1, 1966, any new application for a beer, 15 wine and liquor license, Class B may not be granted by the Board, and any transfer 16 from one location to another location by the same license holder, and any transfer 17 from one license holder to another at the same location, or from one license holder to 18 another at a different location, may not be approved unless the establishment where 19 it is proposed to locate or transfer the license meets the standards contained in this 20 section.							

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

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