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

Introduced and read first time: February 11, 2005

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 30, 2005

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CHAPTER \_\_\_\_\_

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.

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

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

4 3. "Restaurant" means any establishment:

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

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

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

14 D. Equipped with a FUNCTIONING kitchen having complete  
15 facilities and utensils for preparing hot and cold meals to the public, INCLUDING A  
16 WORKING REFRIGERATOR AND A WORKING GAS OR ELECTRIC STOVE THAT IS IN USE  
17 WHEN THE ESTABLISHMENT IS OPEN FOR BUSINESS;

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

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

24 (2) (i) [1. The annual license fee is \$1,320.] TO QUALIFY FOR A  
25 PRIVILEGE FOR A RESTAURANT UNDER THIS PARAGRAPH, A LICENSE HOLDER SHALL  
26 SHOW EVIDENCE TO THE BOARD THAT THE AVERAGE DAILY RECEIPTS OF THE  
27 RESTAURANT FROM THE SALE OF FOOD ARE AT LEAST ~~54%~~ 30% OF ITS TOTAL DAILY  
28 RECEIPTS FOR AT LEAST 6 MONTHS BEFORE THE APPLICATION FOR THE PRIVILEGE  
29 IS SUBMITTED.

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

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

34 [(ii)] (III) 1. A separate license fee may be charged whenever the  
35 [applicant for or] holder of a Class B (on-sale) beer, wine and liquor license proposes  
36 to or in fact establishes and conducts on the licensed premises, an area or portion of  
37 these licensed premises, where there are maintained "off-sale" shelves or counters  
38 not contained within and an integral part of the main bar and in the main dining

