UNOFFICIAL COPY OF HOUSE BILL 1131

51r0480

By: Prince George's County Delegation Introduced and read first time: February 11, 2005 Assigned to: Economic Matters Committee Report: Favorable with amendments House action: Adopted Read second time: March 30, 2005 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 beverages restaurant license seeking an off-sale privilege show evidence that 6 the daily food receipts at the restaurant for which the privilege is sought at least 7 8 equal a certain percentage of the restaurant's total daily receipts over a certain time; repealing an obsolete reference; altering a certain definition; making 9 10 certain stylistic changes; and generally relating to restaurants licensed to sell alcoholic beverages in Prince George's County. 11 12 BY repealing and reenacting, with amendments, Article 2B - Alcoholic Beverages 13 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.

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1 2	indicated.	(ii)	1.	In this subsection the following words have the meanings
3			2.	"Board" means the Board of License Commissioners.
4			3.	"Restaurant" means any establishment:
7				Located in a permanent building with ample space and restaurant where hot meals are habitually luring the hours it is regularly open for
	for an establishment be meet the minimum he			Having at least the minimum sanitary facilities required of the county health department and shall of these regulations;
12 13	chairs or booths to co	mfortabl	C. y seat and	Having a dining area or areas with sufficient tables, accommodate patrons;
16	WORKING REFRIG	ERATO	R AND A	Equipped with a <u>FUNCTIONING</u> kitchen having complete and cold meals to the public, INCLUDING A <u>WORKING</u> GAS OR ELECTRIC STOVE <u>THAT IS IN USE</u> <u>PEN FOR BUSINESS</u> ;
	waitresses to serve the	e numbei	E. of patro	Employing a sufficient number of cooks, waiters or ns provided for in the dining area or areas;
	serving of a variety of food to fill orders made			Maintaining and displaying a menu advertising the shall be on the premises at all times sufficient
26 27 28	SHOW EVIDENCE TRESTAURANT FRO	TO THE M THE	BOARD SALE O	The annual license fee is \$1,320.] TO QUALIFY FOR A JNDER THIS PARAGRAPH, A LICENSE HOLDER SHALL THAT THE AVERAGE DAILY RECEIPTS OF THE FOOD ARE AT LEAST \$1\oplus 30\oplus 0F ITS TOTAL DAILY HS BEFORE THE APPLICATION FOR THE PRIVILEGE
				(II) 1. [The licensee] A LICENSE HOLDER may not or consumption off the licensed premises except portion of the dining room facilities.
33			2.	THE ANNUAL LICENSE FEE FOR THIS PRIVILEGE IS \$1,320.
36 37	to or in fact established these licensed premise	es and co	nducts or there are	1. A separate license fee may be charged whenever the n-sale) beer, wine and liquor license proposes a the licensed premises, an area or portion of the maintained "off-sale" shelves or counters at of the main bar and in the main dining

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- 1 facilities where the majority of the meals are served and consumed in the licensed 2 premises (whether enclosed or opened, partitioned or otherwise partly separated from
- 3 the main bar or the usual serving area within these premises for the sale of alcoholic
- 4 beverages for consumption on the premises and not part of the premises where the
- 5 major portion of meals are served and consumed in these licensed premises) for the
- sale of alcoholic beverages for consumption off the licensed premises.
- 7 The annual license fee FOR THIS PRIVILEGE is \$2,200. 2.
- 8 [(iii)] (IV) 1. The license holder under this subsection may sell
- 9 alcoholic beverages for consumption off the premises from any portion of these
- 10 premises other than from the main bar, or the usual place maintained for sale of
- 11 alcoholic beverages for consumption on the premises and where the major portion of
- 12 the meals are consumed in these premises.
- 13 2. The annual license fee for this privilege is \$2,200.
- 14 [(iv)](V) The number of licenses which are permitted to have any
- 15 off-sale privileges referred to in this subsection are limited to those licenses having
- 16 the permit and facilities on May 28, 1969.
- 17 (VI) Any interruption of restaurant facilities for any reason [(v)]
- 18 shall be reported to the Board promptly.
- 19 [(vi)](VII) Any drug, candy or confectionery store may not be
- 20 construed to be a restaurant.
- 21 (VIII) On and after May 1, 1966, any new application for a beer, [(vii)]
- 22 wine and liquor license, Class B may not be granted by the Board, and any transfer
- 23 from one location to another location by the same license holder, and any transfer
- 24 from one license holder to another at the same location, or from one license holder to
- 25 another at a different location, may not be approved unless the establishment where
- 26 it is proposed to locate or transfer the license meets the standards contained in this
- 27 section.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 28
- 29 June 1, 2005.