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By: **Harford County Delegation**

Introduced and read first time: February 27, 2006

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Harford County - Alcoholic Beverages - Class B Restaurant Beer, Wine and**  
3 **Liquor Licenses Within an Integrated Community Shopping Center -**  
4 **Exception**

5 FOR the purpose of providing that the Harford County Liquor Control Board may  
6 waive certain restrictions on the issuance of certain alcoholic beverages licenses  
7 for a restaurant in the county or in a municipal corporation of the county if the  
8 restaurant is located in a shopping center designated as an integrated  
9 community shopping center; defining a certain term; and generally relating to  
10 alcoholic beverages licenses in Harford County.

11 BY repealing and reenacting, with amendments,

12 Article 2B - Alcoholic Beverages

13 Section 9-213(b)

14 Annotated Code of Maryland

15 (2005 Replacement Volume)

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

18 **Article 2B - Alcoholic Beverages**

19 9-213.

20 (b) (1) (i) Except as provided in paragraphs (2), (3), (4), (5), (6), [and] (7),  
21 AND (8) of this subsection, the Harford County Board of License Commissioners may  
22 not issue any license to sell alcoholic beverages within 300 feet of any church or other  
23 place of worship or within 1,000 feet of any public school building.

24 (ii) This section does not affect any license existing on July 1, 1975  
25 or the transfer or issuance of a Class B (on-sale) beer, wine and liquor license for the  
26 use on any premises licensed on July 1, 1975.

27 (iii) The Board may not issue any license to sell alcoholic beverages  
28 within 1,000 feet of any private, parochial, or bona fide church school building.

1 (iv) This section does not affect any license existing on July 1, 1977.

2 (v) This section does not affect the renewal, transfer, or upgrading  
3 of a license unless transferred to a new location.

4 (vi) Measurement of the required distance shall be made from the  
5 nearest point of the building of the establishment to the nearest point of the building  
6 of the school, church, or other place of worship.

7 (vii) Any decision of the Harford County Board of Education after  
8 June 30, 1975 to locate a public school building within 1,000 feet of an existing  
9 licensee may not be the basis for the revocation or denial of renewal, transfer, or  
10 upgrading of that alcoholic beverages license.

11 (viii) This section does not preclude a church or school from applying  
12 for a 1-day license to be used on their premises.

13 (2) In Bel Air, Aberdeen, and Havre de Grace, the Board may issue a  
14 Class B license to sell alcoholic beverages to a bona fide hotel, motel, or restaurant, as  
15 defined in § 6-201(n) of this article, a Class C license to a club, as defined in §  
16 6-301(o)(2) of this article, or a Class H license to a caterer, as defined in § 6-704(a) of  
17 this article, if the club, hotel, motel, restaurant, or caterer is not located within 300  
18 feet of any public or nonpublic school.

19 (3) In the incorporated municipalities of Harford County, the Board:

20 (i) May, according to the provisions of § 10-202 of this article, issue  
21 a license to sell alcoholic beverages to a bona fide hotel, motel, or restaurant as  
22 defined in § 6-201(n) of this article, club as defined in § 6-301(o)(2) of this article, or  
23 caterer as defined in § 6-704(a) of this article, within 300 feet of a church or place of  
24 worship; and

25 (ii) May issue any alcoholic beverages license to a business  
26 establishment, if the business is not located within 300 feet of any public or nonpublic  
27 school.

28 (4) The Board may waive restrictions under this subsection in approving  
29 an application for an alcoholic beverages license where an existing retail building or  
30 unit has an entrance not within 1,000 feet of the nearest point of a school building and  
31 no more than 25 percent of the floor area of the existing unit is within 1,000 feet of a  
32 school building.

33 (5) (I) IN THIS PARAGRAPH, "INTEGRATED COMMUNITY SHOPPING  
34 CENTER" MEANS A SHOPPING CENTER THAT CONTAINS:

35 1. SIX OR MORE RETAIL USES;

36 2. SIX OR MORE RETAIL AND SERVICE USES; OR

