

# HOUSE BILL 482

A2

71r0553

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

Introduced and read first time: February 6, 2007

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County – Class B–DD Alcoholic Beverages Licenses –**  
3 **Woodmore Towne Centre at Glenarden and the Greenbelt Station Town**  
4 **Centre**

5 **PG 314–07**

6 FOR the purpose of creating in Prince George's County a Class B–DD (Development  
7 District) 7–day beer, wine and liquor license for on–sale consumption; specifying  
8 a certain annual license fee; specifying that a Class B–DD license be issued only  
9 for restaurants that meet a certain average daily receipts requirement and that  
10 are located in a certain development district in the Woodmore Towne Centre at  
11 Glenarden ~~or the Greenbelt Station Town Centre~~; specifying certain restrictions  
12 on the transfer or issuance of a Class B–DD license; requiring the Board of  
13 License Commissioners to determine the number of Class B–DD licenses to be  
14 issued, the persons to whom Class B–DD licenses are to be issued, and the  
15 number of licenses each recipient may hold; limiting the number of Class B–DD  
16 licenses that the Board may issue in a certain area under certain circumstances;  
17 limiting the number of Class B–DD licenses the Board may issue to any  
18 individual in a certain area; authorizing the holder of a Class B–DD license to  
19 hold any other alcoholic beverages license; exempting holders of Class B–DD  
20 licenses from certain qualifications for license holders and restrictions on

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 holding multiple licenses; making a stylistic change; and generally relating to  
2 alcoholic beverages licenses in Prince George's County.

3 BY repealing and reenacting, without amendments,  
4 Article 2B – Alcoholic Beverages  
5 Section 6–201(r)(1)(i) and 9–217(a)  
6 Annotated Code of Maryland  
7 (2005 Replacement Volume and 2006 Supplement)

8 BY adding to  
9 Article 2B – Alcoholic Beverages  
10 Section 6–201(r)(15) and 9–217(f)(7)  
11 Annotated Code of Maryland  
12 (2005 Replacement Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article 2B – Alcoholic Beverages  
15 Section 9–101(d)(6), 9–102(a), and 9–217(d)  
16 Annotated Code of Maryland  
17 (2005 Replacement Volume and 2006 Supplement)

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

20 **Article 2B – Alcoholic Beverages**

21 6–201.

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

23 (15) (I) **THERE IS A CLASS B-DD (DEVELOPMENT DISTRICT)**  
24 **7-DAY BEER, WINE AND LIQUOR LICENSE.**

25 (II) **ONLY ON-SALE CONSUMPTION IS PERMITTED.**

26 (III) **THE ANNUAL LICENSE FEE IS ~~\$2,000~~ \$2,750.**

27 (IV) **A CLASS B-DD LICENSE MAY BE ISSUED ONLY FOR A**  
28 **RESTAURANT:**

1                   **1. WHOSE AVERAGE DAILY RECEIPTS FROM THE**  
2 **SALE OF FOOD TOTAL AT LEAST 51% OF THE TOTAL DAILY RECEIPTS OF THE**  
3 **RESTAURANT; AND**

4                   **2. THAT IS LOCATED WITHIN AN AREA DESIGNATED**  
5 **IN § 9-217(F)(7) (WOODMORE TOWNE CENTRE AT GLENARDEN) OF THIS**  
6 **ARTICLE.**

7                   **(V) OWNERSHIP OF A CLASS B-DD LICENSE MAY BE**  
8 **TRANSFERRED FROM ONE LICENSE HOLDER TO ANOTHER IF THE LICENSE IS TO**  
9 **BE USED AT THE SAME LOCATION BUT MAY NOT BE TRANSFERRED FOR USE AT A**  
10 **DIFFERENT LOCATION.**

11                   **(VI) A CLASS B-DD LICENSE IS REQUIRED TO BE ISSUED**  
12 **FOR EACH LOCATION OF A RESTAURANT.**

13                   **(VII) 1. THE BOARD OF LICENSE COMMISSIONERS SHALL**  
14 **DETERMINE THE NUMBER OF CLASS B-DD LICENSES TO BE ISSUED, THE**  
15 **PERSONS TO WHOM CLASS B-DD LICENSES ARE TO BE ISSUED, AND THE**  
16 **NUMBER OF LICENSES EACH RECIPIENT MAY HOLD.**

17                   **2. NOTWITHSTANDING SUBSUBPARAGRAPH 1 OF**  
18 **THIS SUBPARAGRAPH, THE BOARD OF LICENSE COMMISSIONERS MAY NOT**  
19 **ISSUE A CLASS B-DD LICENSE TO ANY RESTAURANT LOCATED WITHIN THE**  
20 **AREA DESIGNATED IN § 9-217(F)(7) (WOODMORE TOWNE CENTRE AT**  
21 **GLENARDEN) OF THIS ARTICLE IF, AT THE TIME OF ISSUANCE:**

22                   **A. THERE ARE FIVE RESTAURANTS OPERATING WITH**  
23 **A CLASS B-DD LICENSE IN THAT AREA; OR**

24                   **B. THE APPLICANT FOR THE CLASS B-DD LICENSE**  
25 **IS THE LICENSE HOLDER OF TWO CLASS B-DD LICENSES FOR RESTAURANTS**  
26 **OPERATING IN THAT AREA.**

27                   **(VIII) NOTWITHSTANDING ANY OTHER PROVISION IN THIS**  
28 **ARTICLE, A LICENSE HOLDER MAY HOLD A CLASS B-DD LICENSE IN ADDITION**  
29 **TO ANY OTHER LICENSE ISSUED UNDER THIS ARTICLE.**

1 (d) (6) This section does not apply to racetrack licenses, Class BLX  
 2 licenses, arena licenses, Class BCE (catering) licenses, Class B/ECF (educational  
 3 conference facility) licenses, **ISSUANCE, RENEWAL, OR TRANSFER OF CLASS B-DD**  
 4 **(DEVELOPMENT DISTRICT) LICENSES**, or to businesses whose sales of stock or  
 5 interests are authorized for sale by the Securities and Exchange Commission of the  
 6 United States.

7 9-102.

8 (a) No more than one license provided by this article, except by way of  
 9 renewal or as otherwise provided in this section, shall be issued in any county or  
 10 Baltimore City, to any person, or for the use of any partnership, corporation,  
 11 unincorporated association, or limited liability company, in Baltimore City or any  
 12 county of the State, and no more than one license shall be issued for the same  
 13 premises except as provided in §§ 2-201 through 2-208, 2-301, and 6-701, and  
 14 nothing herein shall be construed to apply to § **6-201(R)(15)**, § 7-101(b) and (c), §  
 15 8-202(g)(2)(ii) and (iii), § 8-508, or § 12-202 of this article.

16 9-217.

17 (a) This section applies only in Prince George's County.

18 (d) This section does not apply to [licenses] **A LICENSE** issued under the  
 19 provisions of § 6-201(r)(2), [or] (5), **OR (15)** or § 7-101 of this article.

20 (f) (7) **(I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS**  
 21 **ARTICLE, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE UP TO FIVE**  
 22 **CLASS B-DD LICENSES FOR RESTAURANTS LOCATED WITHIN A DEVELOPMENT**  
 23 **DISTRICT IN THE WOODMORE TOWNE CENTRE AT GLENARDEN, LOCATED**  
 24 **NORTHEAST OF THE INTERSECTION OF THE CAPITAL BELTWAY AND ROUTE**  
 25 **202.**

26 **(II) THE BOARD OF LICENSE COMMISSIONERS MAY ALLOW**  
 27 **AN INDIVIDUAL, PARTNERSHIP, CORPORATION, UNINCORPORATED**  
 28 **ASSOCIATION, OR LIMITED LIABILITY COMPANY TO HOLD OR HAVE AN INTEREST**  
 29 **IN ~~ONE OR MORE~~ UP TO TWO CLASS B-DD BEER, WINE AND LIQUOR LICENSES**  
 30 **UNDER THIS PARAGRAPH, ~~IF THE RESTAURANT FOR WHICH THE LICENSE IS~~**  
 31 **SOUGHT IS WITHIN A DEVELOPMENT DISTRICT APPROVED FOR AT LEAST**  
 32 **~~250,000 SQUARE FEET OF COMMERCIAL RETAIL SPACE IN:~~**

1                    ~~(I) THE WOODMORE TOWNE CENTRE AT GLENARDEN,~~  
2 ~~LOCATED NORTHEAST OF THE INTERSECTION OF THE CAPITAL BELTWAY AND~~  
3 ~~ROUTE 202; OR~~

4                    ~~(II) THE GREENBELT STATION TOWNE CENTRE, LOCATED~~  
5 ~~INSIDE THE CAPITAL BELTWAY AND ADJACENT TO THE GREENBELT METRO~~  
6 ~~STATION.~~

7                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.