

HOUSE BILL 1266

A2

71r3066

By: **Delegate Beitzel**

Introduced and read first time: February 22, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Alcoholic Beverages – Class BDR (Deluxe Restaurant)**
3 **License**

4 FOR the purpose of establishing in Garrett County a Class BDR (deluxe restaurant)
5 (on-sale) beer, wine and liquor license; specifying that the license may be issued
6 for a deluxe restaurant, as defined by the Board of License Commissioners;
7 specifying that a license may be issued to an applicant who already holds a
8 certain type of license; requiring that a licensed restaurant meet certain
9 minimum standards; requiring that a certain capital investment be based on a
10 certain assessed value; specifying an annual license fee and a one-time issuing
11 fee; authorizing a holder of a license to acquire a certain catering option;
12 specifying an annual catering option fee; providing for days and hours of sale for
13 the license; authorizing the Board of License Commissioners to adopt certain
14 rules and regulations; and generally relating to alcoholic beverages licenses in
15 Garrett County.

16 BY repealing and reenacting, without amendments,
17 Article 2B – Alcoholic Beverages
18 Section 6–201(m)(1) and (2)(iii) and (iv)
19 Annotated Code of Maryland
20 (2005 Replacement Volume and 2006 Supplement)

21 BY adding to
22 Article 2B – Alcoholic Beverages
23 Section 6–201(m)(5)
24 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2005 Replacement Volume and 2006 Supplement)

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

Article 2B – Alcoholic Beverages

6–201.

(m) (1) This subsection applies only in Garrett County.

(2) (iii) Except at catered events, if the holder has the catering option, the holder is authorized to sell brewed beverages, as defined in this article, for off-premises consumption.

(iv) 1. If the holder has the catering option, this license also authorizes the holder to keep for sale and sell beer, wine, and liquor for consumption at events catered in the county by the licensee off the licensed premises.

2. If the licensee provides alcoholic beverages at a catered event off the licensed premises the holder shall also provide food.

3. The licensee may exercise the catering privileges only during the hours and days that are permitted under the Class B license.

(5) (I) THERE IS A CLASS BDR (DELUXE RESTAURANT) BEER, WINE AND LIQUOR LICENSE, WHICH IS A SPECIAL CLASS B LICENSE.

(II) A CLASS BDR LICENSE MAY BE ISSUED FOR A DELUXE RESTAURANT, AS DEFINED BY THE BOARD OF LICENSE COMMISSIONERS.

(III) NOTWITHSTANDING § 9–102(A) OF THIS ARTICLE, A CLASS BDR LICENSE MAY BE ISSUED TO AN APPLICANT WHO ALREADY HOLDS A CLASS B (ON–SALE) BEER, WINE AND LIQUOR LICENSE OR A CLASS B RESORT (ON–SALE) BEER, WINE AND LIQUOR LICENSE.

(IV) A CLASS BDR LICENSE MAY BE ISSUED ONLY FOR THE USE OF A RESTAURANT WITH:

1. **A MINIMUM SEATING CAPACITY FOR 85 PERSONS;**
AND

1 **2. A MINIMUM CAPITAL INVESTMENT OF \$250,000**
2 **FOR THE RESTAURANT FACILITIES, NOT INCLUDING THE COST OF LAND OR**
3 **BUILDINGS.**

4 **(V) IF AN APPLICANT PURCHASES OR LEASES AN EXISTING**
5 **BUILDING, THE CAPITAL INVESTMENT ATTRIBUTABLE TO THE COST OF THE**
6 **LAND AND IMPROVEMENTS SHALL BE BASED ON THE ASSESSED VALUE OF THE**
7 **LAND AND IMPROVEMENTS IN ACCORDANCE WITH THE RECORDS OF THE**
8 **DEPARTMENT OF ASSESSMENTS AND TAXATION AT THE TIME OF PURCHASE.**

9 **(VI) THE ANNUAL LICENSE FEE IS \$2,250.**

10 **(VII) THE BOARD OF LICENSE COMMISSIONERS SHALL**
11 **CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL**
12 **TO THE ANNUAL FEE.**

13 **(VIII) 1. A HOLDER OF A CLASS BDR LICENSE MAY**
14 **ACQUIRE THE SAME CATERING OPTION THAT IS DESCRIBED UNDER**
15 **PARAGRAPH (2)(III) AND (IV) OF THIS SUBSECTION FOR CLASS B BEER, WINE**
16 **AND LIQUOR LICENSES.**

17 **2. THE ANNUAL CATERING OPTION FEE IS \$500.**

18 **(IX) THE DAYS AND HOURS OF SALE UNDER A CLASS BDR**
19 **LICENSE ARE IN ACCORDANCE WITH § 11-512(B)(1) OF THIS ARTICLE.**

20 **(X) THE BOARD OF LICENSE COMMISSIONERS MAY ADOPT**
21 **RULES AND REGULATIONS TO CARRY OUT THIS PARAGRAPH.**

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