

# HOUSE BILL 428

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8lr0649

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By: **Harford County Delegation**

Introduced and read first time: January 28, 2008

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Harford County – Alcoholic Beverages – Cafe License**

3 FOR the purpose of authorizing in Harford County a Class B Cafe beer and wine  
4 license; specifying an annual license fee; specifying that the license entitles the  
5 holder to sell beer and wine for consumption on and off the premises; specifying  
6 that the license is a 7–day license with an on–premises wine tasting privilege  
7 for a certain number of days; prohibiting the Liquor Control Board from issuing  
8 more than a certain number of cafe licenses; requiring the Liquor Control Board  
9 to set a maximum and a minimum seating capacity for certain licenses;  
10 authorizing the license to be issued only if certain conditions are met;  
11 prohibiting the license from being used for certain purposes; specifying certain  
12 hours and days of sale; and generally relating to a Class B Cafe beer and wine  
13 license in Harford County.

14 BY repealing and reenacting, without amendments,  
15 Article 2B – Alcoholic Beverages  
16 Section 5–201(n)(1)  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2007 Supplement)

19 BY adding to  
20 Article 2B – Alcoholic Beverages  
21 Section 5–201(n)(6)  
22 Annotated Code of Maryland  
23 (2005 Replacement Volume and 2007 Supplement)

24 BY repealing and reenacting, with amendments,  
25 Article 2B – Alcoholic Beverages  
26 Section 11–513  
27 Annotated Code of Maryland  
28 (2005 Replacement Volume and 2007 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 2B - Alcoholic Beverages**

4 5-201.

5 (n) (1) This subsection applies only in Harford County.

6 (6) (I) **THERE IS A CLASS B CAFE BEER AND WINE LICENSE.**

7 (II) **THE ANNUAL LICENSE FEE IS \$1,575.**

8 (III) **A CAFE LICENSE ENTITLES THE HOLDER TO SELL BEER**  
9 **AND WINE FOR CONSUMPTION ON AND OFF THE LICENSED PREMISES.**

10 (IV) **A CAFE LICENSE IS A 7-DAY LICENSE WITH AN**  
11 **ON-PREMISES WINE TASTING PRIVILEGE FOR EVERY DAY OF THE YEAR.**

12 (V) **THE LIQUOR CONTROL BOARD MAY ISSUE NOT MORE**  
13 **THAN FIVE CAFE LICENSES.**

14 (VI) **THE LIQUOR CONTROL BOARD SHALL SET A MAXIMUM**  
15 **AND A MINIMUM SEATING CAPACITY FOR EACH CAFE LICENSE IT ISSUES.**

16 (VII) **A CAFE LICENSE MAY BE EXERCISED AT AN**  
17 **ESTABLISHMENT ONLY IF:**

18 1. **THE LIQUOR CONTROL BOARD DETERMINES**  
19 **THAT THE ESTABLISHMENT HAS ADEQUATE TABLES, CHAIRS, FOOD, AND**  
20 **FACILITIES FOR PREPARING AND SERVING MEALS;**

21 2. **THE AVERAGE GROSS MONTHLY RECEIPTS FROM**  
22 **THE SALE OF COOKED OR PREPARED FOOD SERVED AT THE ESTABLISHMENT**  
23 **AND OTHER ITEMS APPROVED BY THE LIQUOR CONTROL BOARD EXCEED 50%**  
24 **OF THE AVERAGE MONTHLY RECEIPTS FROM THE SALE OF BEER AND WINE**  
25 **SOLD FOR ON-PREMISES CONSUMPTION; AND**

26 3. **NOT MORE THAN 10% OF THE TOTAL SQUARE**  
27 **FOOTAGE OF THE ESTABLISHMENT IS DEDICATED TO THE PUBLIC DISPLAY OF**  
28 **BEER AND WINE THAT IS OFFERED FOR SALE.**

29 (VIII) **A CAFE LICENSE MAY NOT BE USED FOR OFF-PREMISES**  
30 **CATERING.**

1 11-513.

2 (a) The provisions of this section apply in Harford County only.

3 (b) (1) A licensee may sell, offer for sale, or dispense alcoholic beverages:

4 (i) On Monday through Sunday; and

5 (ii) Only between 8 a.m. and 2 a.m. the following morning.

6 (2) **A CLASS B CAFE LICENSEE MAY OFFER TO SELL BEER AND**

7 **WINE:**

8 (I) **ON MONDAY THROUGH SATURDAY FROM 10 A.M. TO 11**

9 **P.M.; AND**

10 (II) **ON SUNDAY FROM 10 A.M. TO 11 P.M.**

11 (3) During a baseball game only, a licensee may not sell alcoholic  
12 beverages:

13 (i) After the beginning of the eighth inning; or

14 (ii) During a doubleheader game, after the beginning of the  
15 sixth inning of the second game.

16 (c) A licensee may not:

17 (1) Allow alcoholic beverages to be consumed on the licensee's  
18 premises after 2:15 a.m. or before 8:00 a.m. the same morning; or

19 (2) Allow alcoholic beverages glasses, bottles, or containers to remain  
20 on tables or serving counters after 2:30 a.m.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 June 1, 2008.