

HOUSE BILL 428

A2

8lr0649

By: **Harford County Delegation**

Introduced and read first time: January 28, 2008

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2008

CHAPTER _____

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)

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 BY repealing and reenacting, with amendments,
2 Article 2B – Alcoholic Beverages
3 Section 11–513
4 Annotated Code of Maryland
5 (2005 Replacement Volume and 2007 Supplement)

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

8 **Article 2B – Alcoholic Beverages**
9 5–201.

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

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

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

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

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

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

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

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

23 **1. THE LIQUOR CONTROL BOARD DETERMINES**
24 **THAT THE ESTABLISHMENT HAS ADEQUATE TABLES, CHAIRS, FOOD, AND**
25 **FACILITIES FOR PREPARING AND SERVING MEALS;**

26 **2. THE AVERAGE GROSS MONTHLY RECEIPTS FROM**
27 **THE SALE OF COOKED OR PREPARED FOOD SERVED AT THE ESTABLISHMENT**
28 **AND OTHER ITEMS APPROVED BY THE LIQUOR CONTROL BOARD EXCEED 50%**
29 **OF THE AVERAGE MONTHLY RECEIPTS FROM THE SALE OF BEER AND WINE**
30 **SOLD FOR ON-PREMISES CONSUMPTION; AND**

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

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

6 11-513.

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

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

9 (i) On Monday through Sunday; and

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

11 **(2) A CLASS B CAFE LICENSEE MAY OFFER TO SELL BEER AND**
12 **WINE:**

13 **(I) ON MONDAY THROUGH SATURDAY FROM 10 A.M. TO 11**
14 **P.M.; AND**

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

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

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

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

21 (c) A licensee may not:

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

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

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