

HOUSE BILL 1019

A2

8lr0960

HB 482/07 – ECM

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

Introduced and read first time: February 7, 2008

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2008

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Class B-DD Alcoholic Beverages Licenses**
3 **– Woodmore Towne Centre at Glenarden**

4 **PG 325–08**

5 FOR the purpose of altering the areas in Prince George's County in which a Class
6 B-DD (Development District) 7-day beer, wine and liquor license for on-sale
7 consumption may be issued; specifying that a Class B-DD license may be issued
8 under certain conditions for restaurants located in a certain development
9 district in the Woodmore Towne Centre at Glenarden; clarifying the conditions
10 for the issuance of a certain license; making stylistic changes; and generally
11 relating to alcoholic beverages licenses in Prince George's County.

12 BY repealing and reenacting, without amendments,
13 Article 2B – Alcoholic Beverages
14 Section 6–201(r)(1)(i) and (15)(i), (ii), (iii), (v), (vii), and (viii) and 9–217(a)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2007 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 2B – Alcoholic Beverages
19 Section 6–201(r)(15)(iv), (vi), and (ix) and 9–217(f)(7)
20 Annotated Code of Maryland
21 (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.



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.

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

(15) (i) There is a Class B–DD (development district) 7–day beer, wine and liquor license.

(ii) Only on–sale consumption is permitted.

(iii) The annual license fee is \$2,750.

(iv) A Class B–DD license may be issued only for a restaurant within [an] **ANY SINGLE** area designated in § 9–217(f)(7) of this article.

(v) Ownership of a Class B–DD license may be transferred from one license holder to another if the license is to be used at the same location but may not be transferred for use at a different location.

(vi) 1. The Board of License Commissioners shall determine the number of Class B–DD licenses to be issued, the persons to whom Class B–DD licenses are to be issued, and the number of licenses each recipient may hold.

2. Notwithstanding subsubparagraph 1 of this subparagraph, the Board of License Commissioners may not issue a Class B–DD license to any restaurant located within [the] **A SINGLE** area described in § 9–217(f)(7) of this article, if, at the time of issuance:

A. There are four restaurants operating with a Class B–DD license within that area; or

B. The applicant for that license is the license holder of three Class B–DD licenses [for restaurants operating within that area].

(vii) Notwithstanding any other provision of this article, a license holder may hold a Class B–DD license in addition to any other license issued under this article.

(viii) A Class B–DD license may not be issued to a restaurant located within a chain store, supermarket, discount house, drug store, or convenience store.

(ix) 1. A restaurant in [the Capital Plaza commercial] A SINGLE area described in § 9–217(f)(7) of this article is not eligible for a Class B–DD license unless:

A. It satisfies all of the requirements set forth in paragraph (1)(ii)3 of this subsection; and

B. Its average daily receipts from the sale of food and nonalcoholic beverages exceed its average daily receipts from the sale of alcoholic beverages.

2. The Board of License Commissioners may revoke a license in order to enforce the provisions of this subparagraph.

3. A license holder for a restaurant described in subparagraph 1 of this subparagraph shall submit a monthly report to the Board of License Commissioners of the restaurant's average daily receipts from the sale of food and nonalcoholic beverages and the restaurant's average daily receipts from the sale of alcoholic beverages to verify that the restaurant has met the requirements of subparagraph 1 of this subparagraph.

9–217.

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

(f) (7) Subject to § 6–201(r)(15) of this article, the Board of License Commissioners may [issue up] **ISSUE:**

(I) **UP** to four Class B–DD [(development district)] **(DEVELOPMENT DISTRICT)** licenses for restaurants located within the Capital Plaza commercial area, consisting of commercial properties within the area bounded by the Baltimore–Washington Parkway on the west and northwest, Maryland Route 450 on the south, and Cooper Lane on the east and northeast; **AND**

(II) **UP TO FOUR CLASS B–DD (DEVELOPMENT DISTRICT) LICENSES FOR RESTAURANTS LOCATED WITHIN A DEVELOPMENT DISTRICT IN THE WOODMORE TOWNE CENTRE AT GLENARDEN, LOCATED NORTHEAST OF THE INTERSECTION OF THE CAPITAL BELTWAY AND ROUTE 202.**

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