

CHAPTER 501

(House Bill 428)

AN ACT concerning

Harford County – Alcoholic Beverages – Cafe License

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

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

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

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

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

Article 2B – Alcoholic Beverages

5–201.

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

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

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

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

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

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

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

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

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

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

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

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

11-513.

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

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

- (i) On Monday through Sunday; and
- (ii) Only between 8 a.m. and 2 a.m. the following morning.

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

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

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

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

- (i) After the beginning of the eighth inning; or
- (ii) During a doubleheader game, after the beginning of the sixth inning of the second game.

(c) A licensee may not:

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

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

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

Approved by the Governor, May 13, 2008.