

HOUSE BILL 450

A2

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By: **Delegates Carter, Rosenberg, and Tarrant**

Introduced and read first time: January 29, 2010

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – 40th and 41st Districts Park Heights Neighborhood –**
3 **Alcoholic Beverages Establishments – Opening Hours**

4 FOR the purpose of altering the time at which establishments issued certain alcoholic
5 beverages licenses in a Residence District or near a school in the 40th or 41st
6 Legislative District in Baltimore City in the urban renewal area covered under
7 “The Park Heights Neighborhood Master Plan” may begin selling alcoholic
8 beverages; making certain technical corrections; and generally relating to
9 alcoholic beverages licensees in Baltimore City.

10 BY repealing and reenacting, without amendments,
11 Article 2B – Alcoholic Beverages
12 Section 6–102(a) and (c) 8–203(a), (b), and (d)(1), 11–302(b)(1) and (d)(1), and
13 11–303(d)(1)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article 2B – Alcoholic Beverages
18 Section 6–102(g) 8–203(d)(3), 11–302(a), (b)(2), (d)(2), and (j) and 11–303(a), (b),
19 and (d)(2)
20 Annotated Code of Maryland
21 (2005 Replacement Volume and 2009 Supplement)

22 BY adding to
23 Article 2B – Alcoholic Beverages
24 Section 11–302(j) and 11–303(g)
25 Annotated Code of Maryland
26 (2005 Replacement Volume and 2009 Supplement)

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 6–102.

5 (a) This section applies only in Baltimore City.

6 (c) A Class A–2 beer, wine and liquor off–sale package goods license
7 authorizes the holder to:

8 (1) Keep for sale and sell beer, wine, and liquor at retail; and

9 (2) Deliver alcoholic beverages in sealed packages or containers. The
10 package or container may not be opened nor its contents be consumed on the premises
11 where it is sold.

12 8–203.

13 (a) The provisions of this section only apply in Baltimore City.

14 (b) In this section, “Board” means the Board of License Commissioners of
15 Baltimore City.

16 (d) (1) There is a Class B–D–7 license.

17 (3) **(I) [Licensees] EXCEPT AS PROVIDED IN SUBPARAGRAPH**
18 **(II) OF THIS PARAGRAPH, LICENSEES** may sell all alcoholic beverages at retail at
19 the place in the license described, for consumption on the premises and elsewhere,
20 from 6 a.m. to 2 a.m. on the following day, 7 days per week.

21 **(II) IN THE 40TH AND 41ST LEGISLATIVE DISTRICTS IN**
22 **BALTIMORE CITY IN THE URBAN RENEWAL AREA COVERED UNDER THE “PARK**
23 **HEIGHTS NEIGHBORHOOD MASTER PLAN”, FOR AN ESTABLISHMENT IN A**
24 **RESIDENCE DISTRICT AS SPECIFIED IN THE ZONING CODE OF BALTIMORE**
25 **CITY OR WITHIN 1 MILE OF THE NEAREST POINT OF THE BUILDING OF A**
26 **SCHOOL, THE HOURS OF SALE BEGIN AT 9 A.M. EACH DAY.**

27 11–302.

28 (a) (1) The hours during which the privileges conferred by a Class A beer
29 and light wine license may be exercised are from 6 a.m. to midnight on every day
30 except Sunday.

31 **(2) IN THE 40TH AND 41ST LEGISLATIVE DISTRICTS IN**
32 **BALTIMORE CITY IN THE URBAN RENEWAL AREA COVERED UNDER THE “PARK**

1 **HEIGHTS NEIGHBORHOOD MASTER PLAN” FOR AN ESTABLISHMENT IN A**
2 **RESIDENCE DISTRICT AS SPECIFIED IN THE ZONING CODE OF BALTIMORE**
3 **CITY OR WITHIN 1 MILE OF THE NEAREST POINT OF THE BUILDING OF A**
4 **SCHOOL, THE HOURS OF SALE BEGIN AT 9 A.M. EACH DAY.**

5 **[(2)](3)** In Frederick County, on Sunday the hours are from 1 p.m. to
6 midnight.

7 **[(3)](4)** In Montgomery County, the hours are as provided in §
8 11-516(d)(1).

9 **[(4)](5)** In Prince George’s County, the hours are from 6 a.m. to 2
10 a.m. on the following day except on Sunday when sales are not permitted after 2 a.m.

11 (b) (1) The hours during which the privileges conferred by a Class B beer
12 and light wine license may be exercised are from 6 a.m. to midnight.

13 (2) Except as otherwise provided in subsections (h) [and], (i), AND (J)
14 of this section, in Baltimore City the hours are from 6 a.m. to 2 a.m. on the following
15 day.

16 (d) (1) The hours during which the privileges conferred by a Class D beer
17 and light wine license may be exercised are from 6 a.m. to midnight.

18 (2) Except as otherwise provided in subsections (h) [and], (i), AND (J)
19 of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m. on the following
20 day.

21 **(J) IN THE 40TH AND 41ST LEGISLATIVE DISTRICTS IN BALTIMORE**
22 **CITY IN THE URBAN RENEWAL AREA COVERED UNDER “THE PARK HEIGHTS**
23 **NEIGHBORHOOD MASTER PLAN”, FOR AN ESTABLISHMENT IN A RESIDENCE**
24 **DISTRICT AS SPECIFIED IN THE ZONING CODE OF BALTIMORE CITY OR WITHIN**
25 **1 MILE OF THE NEAREST POINT OF THE BUILDING OF A SCHOOL, THE HOURS OF**
26 **SALE BEGIN AT 9 A.M. EACH DAY.**

27 **[(j)] (K)** In Carroll County, the privileges conferred by a Class A beer and
28 light wine license may be exercised from 11 a.m. to 6 p.m. on Sundays.

29 11-303.

30 (a) (1) The hours during which the privileges conferred by a Class A beer,
31 wine and liquor license may be exercised are from 6 a.m. to midnight, on every day
32 except Sunday.

1 (2) The provisions of paragraph (1) of this subsection are superseded
2 as follows:

3 (i) In Annapolis, the hours may be fixed by the Mayor,
4 Counselor, and Aldermen of the City of Annapolis;

5 **(ii) IN THE 40TH AND 41ST LEGISLATIVE DISTRICTS IN**
6 **BALTIMORE CITY IN THE URBAN RENEWAL AREA COVERED UNDER THE “PARK**
7 **HEIGHTS MASTER PLAN”, FOR AN ESTABLISHMENT IN A RESIDENCE DISTRICT**
8 **AS SPECIFIED IN THE ZONING CODE OF BALTIMORE CITY OR WITHIN 1 MILE OF**
9 **THE NEAREST POINT OF THE BUILDING OF A SCHOOL, THE HOURS OF SALE**
10 **BEGIN AT 9 A.M. EACH DAY;**

11 **[(ii)](iii)** In Carroll County, the privileges conferred by a Class
12 A beer, wine and liquor license may be exercised from 11 a.m. to 6 p.m. on Sunday;

13 **[(iii)](iv)** In Frederick County, holders of a Class A beer, wine
14 and liquor (off–sale) license may sell beer, wine and liquor for off–premises
15 consumption on Sundays from 1 p.m. to midnight if they hold a special Sunday
16 opening permit;

17 **[(iv)] (v)** In Kent County, the provisions of § 11–515 of this
18 article apply;

19 **[(v)](vi)** In St. Mary’s County, holders of a Class A–1 license
20 may sell on Sunday; and

21 **[(vi)](vii)** In Talbot County, the hours are from 8 a.m. to 12
22 midnight.

23 (b) (1) The hours during which the privileges conferred by a Class B beer,
24 wine and liquor license may be exercised are from 6 a.m. to 2 a.m. on the following
25 day.

26 (2) In Annapolis, the hours shall be as fixed by the Mayor, Counselor,
27 and Aldermen of the City of Annapolis.

28 (3) In Montgomery County, except as provided in § 11–516 of this
29 article, the hours are from 9 a.m. on any day to 1 a.m. on the following day.

30 (4) In the 47th alcoholic beverages district in Baltimore City, the
31 hours for off–sales under a Class B beer, wine and liquor license for use in a
32 restaurant are as provided for in § 6–201(d) of this article.

33 **(5) IN THE 40TH AND 41ST LEGISLATIVE DISTRICTS IN**
34 **BALTIMORE CITY IN THE URBAN RENEWAL AREA COVERED UNDER THE “PARK**

1 **HEIGHTS NEIGHBORHOOD MASTER PLAN”, FOR AN ESTABLISHMENT IN A**
2 **RESIDENCE DISTRICT AS SPECIFIED IN THE ZONING CODE OF BALTIMORE**
3 **CITY OR WITHIN 1 MILE OF THE NEAREST POINT OF THE BUILDING OF A**
4 **SCHOOL, THE HOURS OF SALE BEGIN AT 9 A.M. EACH DAY.**

5 (d) (1) The hours during which the privileges conferred by a Class D beer,
6 wine and liquor license may be exercised are from 6 a.m. to midnight.

7 (2) Except as otherwise provided in subsections (e) [and], (f), AND (G)
8 of this section, in Baltimore City the hours are from 6 a.m. to 1 a.m.

9 (G) IN THE 40TH AND 41ST LEGISLATIVE DISTRICTS IN BALTIMORE
10 CITY IN THE URBAN RENEWAL AREA COVERED UNDER THE “PARK HEIGHTS
11 MASTER PLAN”, FOR AN ESTABLISHMENT IN A RESIDENCE DISTRICT AS
12 SPECIFIED IN THE ZONING CODE OF BALTIMORE CITY OR WITHIN 1 MILE OF
13 THE NEAREST POINT OF THE BUILDING OF A SCHOOL, THE HOURS OF SALE
14 BEGIN AT 9 A.M. EACH DAY.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 June 1, 2010.