

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 787
Economic Matters

(Frederick County Delegation)
Education, Health, and Environmental Affairs

**Frederick County - Alcoholic Beverages - Licensed Restaurants - Removal of
Tables and Chairs for Expanded Occupancy**

This bill authorizes a holder of a Class B beer, wine, and liquor license in Frederick County to remove its tables and chairs to accommodate additional patrons at no more than four special events held at the restaurant within a calendar year. The restaurant must give notice to the Frederick County Board of License Commissioners at least one week prior to the event. The tables and chairs removed for the event must be stored in an appropriate location within the restaurant in a manner that does not block the exits of the restaurant. The restaurant cannot exceed the maximum number of occupants that the Frederick County Fire Marshal allows for the establishment.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: None. Frederick County can enforce the bill's requirements with existing resources.

Small Business Effect: Potential meaningful positive impact for eligible establishments.

Analysis

Current Law: The Frederick County Board of License Commissioners may issue a Class B beer, wine, and liquor license to a restaurant which:

- serves full-course meals at least twice daily;
- has a regular seating capacity at tables (not including seats at bars or counters) for 50 or more people;
- is operated in a physical plant having an assessed value of not less than \$40,000, and personal property with an assessed value of not less than \$5,000. This license in a restaurant permits sales for consumption on the premises on which meals are prepared and served, except in the case of beverages with an alcoholic content of not more than 14.5 percent by volume, which may be sold for off-premises consumption; and
- the area of the licensed premises normally used as a restaurant for the preparation and consumption of food and beverages on the premises may occupy no less than 80% of the square foot area, except for recreational use premises such as bowling alleys and pool halls. This provision does not apply to or affect any licensee that had a Class B beer, wine, and liquor license on December 31, 1993, or to any person who has a permit for a building that was under construction on that date.

The annual license fee is \$1,500 for a restaurant.

Background: There are currently 133 Class B beer, wine, and liquor licenses issued in Frederick County.

Additional Information

Prior Introductions: None.

Cross File: SB 321 (Senators Young and Brinkley) - Education, Health, and Environmental Affairs.

Information Source(s): Frederick County, Department of Legislative Services

Fiscal Note History: First Reader - February 16, 2012
ncs/hlb

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