

Chapter 327

(Senate Bill 692)

AN ACT concerning

Washington County – Alcoholic Beverages – Restaurant Seating Capacity and License Quota

FOR the purpose of ~~reducing~~ setting the seating capacity requirement for Class B alcoholic beverages (on-sale) restaurants and Class P alcoholic beverages (on-sale) restaurants in Washington County; *excepting Class P licenses rather than Class B licenses from calculations in determining whether the number of licenses within an election district exceeds the population ratio quota;* and generally relating to alcoholic beverages licenses in Washington County.

BY repealing and reenacting, with amendments,
 Article 2B – Alcoholic Beverages
 Section 9–222(b)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2013 Supplement)

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

Article 2B – Alcoholic Beverages

9–222.

(b) (1) (i) In this subsection the following words have the meanings indicated.

(ii) “Population ratio quota” means 1 license for each 1,000 individuals, excluding individuals detained or confined in a correctional facility as defined under § 1–101(d) of the Correctional Services Article, who reside in the election district where the license will be issued as determined by the last federal population census.

(iii) “Restaurant” means an establishment that:

1. Is located in a permanent building;
2. Regularly sells and serves food to the general public;

3. Has a seating capacity of at least ~~[75] 50 persons;~~
and:

A. 75 PERSONS FOR A CLASS B ALCOHOLIC BEVERAGES (ON-SALE) LICENSE; OR

B. 50 PERSONS FOR A CLASS P ALCOHOLIC BEVERAGES (ON-SALE) LICENSE; AND

4. Has on an annual basis, gross sales of food and nonalcoholic beverages that exceed its annual gross sales of alcoholic beverages.

(2) In Washington County, except for a Class ~~B~~ P alcoholic beverages (on-sale) license issued to a restaurant and any class of alcoholic beverages license renewed or transferred for the same premises, an alcoholic beverages license may not be issued within an election district if the number of alcoholic beverages licenses exceeds the population ratio quota.

(3) (i) If the Washington County Board of License Commissioners determines that there is a public need including governmentally sanctioned economic revitalization for the issuance of a license notwithstanding the population ratio quota, the license may be issued by the Board.

(ii) The Board shall state in the order granting the issuance of the license the reasons for its decision to exceed the population ratio quota.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

Approved by the Governor, May 5, 2014.