

# HOUSE BILL 1210

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CF SB 561

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By: **Delegates Clippinger, Hammen, and Lierman**

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – Class C Beer, Wine, and Liquor Licenses**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to  
4 issue Class C beer, wine, and liquor licenses in certain locations in Baltimore City;  
5 altering the areas for which the Board may waive certain distance restrictions  
6 between a building for which a license is transferred and a place of worship or school;  
7 and generally relating to Class C beer, wine, and liquor licenses in Baltimore City.

8 BY repealing and reenacting, without amendments,

9 Article – Alcoholic Beverages

10 Section 12–102

11 Annotated Code of Maryland

12 (As enacted by Chapter \_\_ (S.B.724) of the Acts of the General Assembly of 2016)

13 BY repealing and reenacting, with amendments,

14 Article – Alcoholic Beverages

15 Section 12–1603 and 12–1605(a)

16 Annotated Code of Maryland

17 (As enacted by Chapter \_\_ (S.B.724) of the Acts of the General Assembly of 2016)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Alcoholic Beverages**

21 12–102.

22 This title applies only in Baltimore City.

23 12–1603.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) The alcoholic beverages districts described in this section at all times are  
2 coterminous with the legislative districts in the Legislative Districting Plan of 2002 as  
3 ordered by the Maryland Court of Appeals on June 21, 2002.

4 (b) Except as provided in subsection (c) of this section, the Board may not issue  
5 a new license in:

6 (1) the 40th alcoholic beverages district;

7 (2) the 41st alcoholic beverages district;

8 (3) the 43rd alcoholic beverages district;

9 (4) the 44th alcoholic beverages district; and

10 (5) the 45th alcoholic beverages district.

11 (c) The Board may issue:

12 (1) in the alcoholic beverages districts specified in subsection (b) of this  
13 section:

14 (i) a 1-day license; or

15 (ii) a Class B beer, wine, and liquor license to a restaurant that:

16 1. has a minimum capital investment, not including the cost  
17 of land and buildings, of \$200,000 for restaurant facilities; and

18 2. has a minimum seating capacity of 75 individuals;

19 (2) a Class C beer, wine, and liquor license in the 45th alcoholic beverages  
20 district; [or]

21 (3) a Class C beer, wine, and liquor license in ward 5, precinct 1 of the 44th  
22 alcoholic beverages district;

23 (4) **A CLASS C BEER, WINE, AND LIQUOR LICENSE IN THE 200 BLOCK**  
24 **OF HOLLIDAY STREET IN WARD 3, PRECINCT 3 OF THE 46TH ALCOHOLIC**  
25 **BEVERAGES DISTRICT; OR**

26 (5) **A CLASS C BEER, WINE, AND LIQUOR LICENSE IN THE 200 BLOCK**  
27 **OF SOUTH CENTRAL AVENUE IN WARD 3, PRECINCT 3 OF THE 46TH ALCOHOLIC**  
28 **BEVERAGES DISTRICT.**

1 (a) (1) (i) Except as otherwise provided in this subsection, a new license  
2 may not be issued for and an existing license may not be moved to a building that is within  
3 300 feet of the nearest point of the building of a place of worship or school.

4 (ii) In the 45th Legislative District, a new Class A license of any type  
5 may not be issued for a building that is within 500 feet of the nearest point of the building  
6 of a place of worship or school.

7 (2) Paragraph (1)(i) of this subsection does not apply to:

8 (i) a Class B beer and wine license outside the 46th Legislative  
9 District;

10 (ii) a Class B beer, wine, and liquor license outside the 46th  
11 Legislative District;

12 (iii) a Class C beer and wine license; and

13 (iv) a Class C beer, wine, and liquor license.

14 (3) A license for use in a building that is within 300 feet of the grounds of  
15 a place of worship or school may be renewed or extended for the same building.

16 (4) (i) This paragraph applies only to an area bounded by:

17 1. High Street on the west, [Fawn] **PRATT** Street on the  
18 north, Central Avenue on the east, and Eastern Avenue on the south; [or]

19 2. West Cross Street and Amity Street on the west, Clifford  
20 Street on the north, Scott Street on the east, and Carroll Street on the south; **OR**

21 **3. HOLLIDAY STREET ON THE WEST, SARATOGA STREET**  
22 **ON THE NORTH, GAY STREET ON THE EAST, AND LEXINGTON STREET ON THE**  
23 **SOUTH.**

24 (ii) The Board may waive the distance restrictions in paragraph  
25 (1)(i) of this subsection for an application for the transfer of a license into an area specified  
26 in subparagraph (i) of this paragraph if:

27 1. the application is approved by:

28 A. each community association representing the area;

29 B. each business association in the area; and

1                                   C.     the ordained leader and the board or council for each place  
2 of worship that is within 300 feet of the proposed location of the establishment for which  
3 the license transfer is sought; and

4                                   2.     a memorandum of understanding is executed by the  
5 applicant for the license transfer and each community association in the area.

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2016.