

HOUSE BILL 228

A2

0lr2420
CF SB 73

By: **Delegates Branch and Smith**

Introduced and read first time: January 16, 2020

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – 45th District – Alcoholic Beverages – Class B–D–7 License**

3 FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to
4 issue a Class B–D–7 license in certain areas of the 45th alcoholic beverages district
5 if the applicant meets certain requirements; and generally relating to alcoholic
6 beverages licenses in Baltimore City.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 12–102 and 12–1603(a) and (b)

10 Annotated Code of Maryland

11 (2016 Volume and 2019 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 12–1603(c)

15 Annotated Code of Maryland

16 (2016 Volume and 2019 Supplement)

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

18 That the Laws of Maryland read as follows:

19 **Article – Alcoholic Beverages**

20 12–102.

21 This title applies only in Baltimore City.

22 12–1603.

23 (a) The alcoholic beverages districts described in this section at all times are

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 coterminous with the legislative districts in the Legislative Districting Plan of 2002 as
2 ordered by the Maryland Court of Appeals on June 21, 2002.

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

- 5 (1) the 40th alcoholic beverages district;
- 6 (2) the 41st alcoholic beverages district;
- 7 (3) the 43rd alcoholic beverages district;
- 8 (4) the 44th alcoholic beverages district; and
- 9 (5) the 45th alcoholic beverages district.

10 (c) The Board may issue:

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

- 13 (i) a 1-day license; or
- 14 (ii) a Class B beer, wine, and liquor license to a restaurant that:
 - 15 1. has a minimum capital investment, not including the cost
16 of land and buildings, of \$200,000 for restaurant facilities; and
 - 17 2. has a minimum seating capacity of 75 individuals;

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

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

22 (4) a Class C beer, wine, and liquor license in the 200 block of West
23 Saratoga Street in ward 4, precinct 3 of the 40th alcoholic beverages district;

24 (5) a Class B-D-7 license in the unit block of West North Avenue in the
25 45th alcoholic beverages district;

26 (6) two Class B-D-7 licenses in the 2100 block of North Charles Street in
27 the 43rd alcoholic beverages district;

28 (7) two Class B-D-7 licenses in the 2100 block of Maryland Avenue in the
29 43rd alcoholic beverages district; [and]

1 (8) subject to the requirements under subsection (e) of this section, four
2 Class B-D-7 licenses in the 43rd alcoholic beverages district; AND

3 (9) A CLASS B-D-7 LICENSE IN THE 5400 BLOCK OF HARFORD ROAD
4 IN THE 45TH ALCOHOLIC BEVERAGES DISTRICT IF:

5 (I) AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD ARE AT
6 LEAST 65% OF THE APPLICANT'S TOTAL DAILY RECEIPTS;

7 (II) THE APPLICANT EXECUTES A MEMORANDUM OF
8 UNDERSTANDING WITH A COMMUNITY ASSOCIATION;

9 (III) THE APPLICANT DOES NOT CREATE A SEPARATE PACKAGE
10 GOODS DEPARTMENT;

11 (IV) ALCOHOLIC BEVERAGES ARE SERVED TO PATRONS SEATED
12 AT TABLES; AND

13 (V) ALCOHOLIC BEVERAGES ARE SERVED ONLY WITH MEALS TO
14 PATRONS PROVIDED WITH OUTDOOR TABLE SERVICE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2020.