

Chapter 372

(House Bill 924)

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Distance Restrictions, Extension Fee,
and Class D License**

FOR the purpose of ~~altering certain geographic boundaries for a certain limitation to the issuance of a Class B–D–7 license in certain areas;~~ prohibiting the Board of License Commissioners for Baltimore City from charging a fee for a temporary license permit extension under certain circumstances; ~~requiring the Board to enforce certain provisions of law;~~ authorizing the Board to waive certain distance restrictions for an application for the transfer of a license into a certain area under certain circumstances; prohibiting the Board from issuing a license in or approving the transfer of a license into a certain area under certain circumstances; ~~authorizing certain Class D license holders to serve food, but not alcoholic beverages, during certain hours on Sundays;~~ and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 12–102
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

BY adding to

Article – Alcoholic Beverages
Section 12–1313 ~~and 12–2004(f)(4)~~
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section ~~12–1603(e) and~~ 12–1605(a)
Annotated Code of Maryland
(2016 Volume and 2019 Supplement)

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

Article – Alcoholic Beverages

12–102.

This title applies only in Baltimore City.

12-1313.

~~IN THE 46TH ALCOHOLIC BEVERAGES DISTRICT, THE BOARD MAY NOT CHARGE A FEE FOR A TEMPORARY LICENSE PERMIT EXTENSION TO AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.~~

(A) THE BOARD MAY NOT CHARGE A FEE FOR A TEMPORARY LICENSE PERMIT EXTENSION IF:

(1) THE APPLICANT IS AN OFFICIALLY RECOGNIZED AND ACTIVE MAIN STREET ORGANIZATION ESTABLISHED BY THE CITY THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; AND

(2) THE EVENT IS A SINGLE EVENT WHERE THE ATTENDANCE IS LIMITED TO 750 OR FEWER INDIVIDUALS.

(B) THE BOARD SHALL ENFORCE THIS SECTION.

12-1603.

(e) (1) In this subsection, “Old Goucher Revitalization District” means the area surrounded by Howard Street on the west, 25th Street on the north, Hargrove Street on the east, and 21st Street on the south.

(2) If an establishment has a minimum capital investment, not including land and acquisition costs, of \$50,000, the Board may issue one Class B–D–7 license for use in each of the following properties in the Old Goucher Revitalization District:

(i) a property that is surrounded by Maryland Avenue on the west, 24th Street on the north, Morton Street on the east, and 22nd Street on the south;

(ii) a property that is surrounded by Morton Street on the west, 23rd Street on the north, [Charles] LOVEGROVE Street on the east, and 22nd Street on the south;

(iii) a property that is surrounded by Morton Street on the west, Ware Street on the north, [Lovegrove] CHARLES Street on the east, and 24th Street on the south; and

(iv) a property that is surrounded by Maryland Avenue on the west, 24th Street on the north, Morton Street on the east, and 23rd Street on the south.

(3) A Class B–D–7 license that may be issued under (c)(6) or (7) of this section may be transferred within the Old Goucher Revitalization District.

12–1605.

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

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

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

(i) a Class B beer and wine license outside the 46th legislative district;

(ii) a Class B beer, wine, and liquor license outside the 46th legislative district;

(iii) a Class B–D–7 license in the Old Goucher Revitalization District under § 12–1603(e) of this subtitle;

(iv) a Class C beer and wine license; and

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

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

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

1. High Street on the west, Pratt Street on the north, Central Avenue on the east, and Eastern Avenue on the south;

2. West Cross Street and Amity Street on the west, Clifford Street on the north, Scott Street on the east, and Carroll Street on the south; [or]

3. Holliday Street on the west, Saratoga Street on the north, Gay Street on the east, and Lexington Street on the south; **OR**

4. SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, FAGLEY STREET ON THE WEST, GOUGH STREET ON THE NORTH, GRUNDY STREET ON THE EAST, AND CHESTLE PLACE ON THE SOUTH.

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

1. the application is approved by:
 - A. each community association representing the area;
 - B. each business association in the area; and
 - C. the ordained leader and the board or council for each place of worship that is within 300 feet of the proposed location of the establishment for which the license transfer is sought; and
2. a memorandum of understanding is executed by the applicant for the license transfer and each community association in the area.

(III) THE BOARD MAY NOT ISSUE A LICENSE IN OR APPROVE THE TRANSFER OF A LICENSE INTO THE AREA SPECIFIED IN SUBPARAGRAPH (I)4 OF THIS PARAGRAPH IF:

1. THE PROPOSED LOCATION OF THE ESTABLISHMENT IS IN AN AREA THAT IS ZONED “RESIDENTIAL”; OR
2. THE LICENSE TO BE ISSUED OR TRANSFERRED IS A CLASS A LICENSE OF ANY TYPE.

~~12-2004.~~

~~(f) (4) IN THE 46TH ALCOHOLIC BEVERAGES DISTRICT, FROM 9 A.M. TO 4 P.M. ON SUNDAYS, A HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE IN THE 3500 BLOCK OF COUGH STREET:~~

~~(i) MAY NOT SERVE OR ALLOW FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES; BUT~~

~~(ii) MAY SERVE FOOD.~~

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.