

HOUSE BILL 868

A2

1lr2683
CF SB 547

By: **Delegate Smith**

Introduced and read first time: January 29, 2021

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 4, 2021

CHAPTER _____

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 a certain area 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 2020 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 2020 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 This title applies only in Baltimore City.

2 12–1603.

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

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

8 (1) the 40th alcoholic beverages district;

9 (2) the 41st alcoholic beverages district;

10 (3) the 43rd alcoholic beverages district;

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

12 (5) the 45th alcoholic beverages district.

13 (c) The Board may issue:

14 (1) in the alcoholic beverages districts specified in subsection (b) of this
15 section:

16 (i) a 1–day license; or

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

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

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

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

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

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

27 (5) If the applicant executes a memorandum of understanding with the
28 Charles North Community Association, a Class C beer, wine, and liquor license to a club in

1 the area bounded by North Charles Street on the west, East Lafayette Avenue on the north,
2 North Lovegrove Street on the east, and East Lanvale Street on the south in the 45th
3 alcoholic beverages district;

4 (6) a Class B–D–7 license in the unit block of West North Avenue in the
5 45th alcoholic beverages district;

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

8 (8) two Class B–D–7 licenses in the 2100 block of Maryland Avenue in the
9 43rd alcoholic beverages district;

10 (9) subject to the requirements under subsection (e) of this section, four
11 Class B–D–7 licenses in the 43rd alcoholic beverages district; [and]

12 (10) a Class B–D–7 license in the 5400 block of Harford Road in the 45th
13 alcoholic beverages district if:

14 (i) average daily receipts from the sale of food are at least 65% of
15 the applicant's total daily receipts;

16 (ii) the applicant executes a memorandum of understanding with a
17 community association;

18 (iii) the applicant does not create a separate package goods
19 department;

20 (iv) alcoholic beverages are served to patrons seated at tables; and

21 (v) alcoholic beverages are served only with meals to patrons
22 provided with outdoor table service; AND

23 **(11) A CLASS B–D–7 LICENSE IN THE 4800 BLOCK OF HARFORD ROAD**
24 **IN THE 45TH ALCOHOLIC BEVERAGES DISTRICT IF:**

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

27 **(II) THE APPLICANT EXECUTES A MEMORANDUM OF**
28 **UNDERSTANDING WITH A COMMUNITY ASSOCIATION;**

29 **(III) THE APPLICANT DOES NOT CREATE A SEPARATE PACKAGE**
30 **GOODS DEPARTMENT;**

31 **(IV) ALCOHOLIC BEVERAGES ARE SERVED TO PATRONS SEATED**

1 AT TABLES; AND

2 (v) ALCOHOLIC BEVERAGES ARE SERVED ONLY WITH MEALS TO
3 PATRONS PROVIDED WITH OUTDOOR TABLE SERVICE.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.