

SENATE BILL 935

A2

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By: **Senator Hayes**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – West North Avenue Corridor –**
3 **Restrictions**

4 FOR the purpose of prohibiting certain license holders in an area known as the West North
5 Avenue Corridor in Baltimore City from opening before a certain time of day, with
6 certain exceptions; defining “West North Avenue Corridor”; making a technical
7 correction; and generally relating to alcoholic beverages in Baltimore City.

8 BY repealing and reenacting, without amendments,
9 Article – Alcoholic Beverages
10 Section 12–102 and 12–2004(b) and (c)
11 Annotated Code of Maryland
12 (2016 Volume and 2019 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Alcoholic Beverages
15 Section 12–2005
16 Annotated Code of Maryland
17 (2016 Volume and 2019 Supplement)

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 12–2004.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) Except as provided in § 12–2005 of this subtitle, a holder of a Class B
2 beer, wine, and liquor license may sell beer, wine, and liquor:

3 (i) from 9 a.m. to 2 a.m. the following day in the area specified in
4 the Park Heights Master Plan adopted by the City in 2006; and

5 (ii) from 6 a.m. to 2 a.m. the following day in all other locations in
6 the City.

7 (2) In the 47th alcoholic beverages district in the City, the hours for sales
8 of beer, wine, and liquor for off–premises consumption under a Class B beer, wine, and
9 liquor license for use in a restaurant are as provided in § 12–903(d) of this title.

10 (3) Except as provided in § 12–2005 of this subtitle and § 12–903(d) of this
11 title, the license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

12 (c) Except as provided in § 12–2005 of this subtitle, a holder of a Class B–D–7
13 beer, wine, and liquor license may sell beer, wine, and liquor:

14 (1) from 9 a.m. to 10 p.m. in the area specified in the Park Heights Master
15 Plan adopted by the City in 2006; and

16 (2) from 6 a.m. to 2 a.m. the following day in all other locations in the City.
17 12–2005.

18 (a) (1) In response to a complaint, the Board may petition the circuit court for
19 a temporary order that, on a license holder’s premises, limits the hours and days for the
20 sale and consumption of:

21 (i) beer;

22 (ii) beer and light wine; or

23 (iii) beer, wine, and liquor.

24 (2) The court may issue the order if the court finds by clear and convincing
25 evidence that:

26 (i) the activities arising from the sale and consumption of alcoholic
27 beverages on the licensed premises have resulted in an extreme and continuing disturbance
28 to a residential community;

29 (ii) the license holder has failed to exercise good faith in attempting
30 to remedy the disturbance at the request or order of the Board; and

31 (iii) the Board has been unable to provide relief to the residential

1 community by exercising its authority to suspend the license or reprimand the license
2 holder.

3 (3) The duration of the order may not exceed the duration of the license
4 term.

5 (4) The order shall be stayed pending appeal from the order.

6 (5) This section does not limit any other powers of the Board.

7 (b) (1) This [section] **SUBSECTION** applies only in the City on the inner
8 perimeter of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the
9 east, 32nd Street on the north, and Barclay Street on the west.

10 (2) By regulation, the Board may restrict the hours and days for the sale
11 and consumption of:

12 (i) beer;

13 (ii) beer and light wine; or

14 (iii) beer, wine, and liquor.

15 (c) (1) This subsection does not apply to:

16 (i) a Class B beer and light wine license;

17 (ii) a Class B beer, wine, and liquor license;

18 (iii) a Class C beer and light wine license; and

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

20 (2) For a license holder in an area bounded by Liberty Heights Avenue,
21 Northern Parkway, Druid Park Drive, and Wabash Avenue, the hours of sale:

22 (i) may not begin before 9 a.m. or end after 10 p.m.; and

23 (ii) may not be extended if they begin later than 9 a.m. or end before
24 10 p.m.

25 **(D) (1) IN THIS SUBSECTION, “WEST NORTH AVENUE CORRIDOR” MEANS**
26 **THE INTERIOR OF THE AREA DESCRIBED AS FOLLOWS:**

27 **(I) STARTING AT THE INTERSECTION OF NORTH HILTON**
28 **STREET AND WESTWOOD AVENUE HEAD EASTERLY TO THE INTERSECTION OF**

1 WESTWOOD AVENUE AND POPLAR GROVE STREET;

2 (II) HEAD SOUTHERLY ON POPLAR GROVE STREET TO THE
3 INTERSECTION OF POPLAR GROVE STREET AND PRESBURY STREET;

4 (III) HEAD EASTERLY ON PRESBURY STREET TO THE
5 INTERSECTION OF PRESBURY STREET AND ASHBURTON STREET;

6 (IV) HEAD NORTHERLY ON ASHBURTON STREET TO THE
7 INTERSECTION OF ASHBURTON STREET AND WESTWOOD AVENUE;

8 (V) HEAD EASTERLY ON WESTWOOD AVENUE TO THE
9 INTERSECTION OF WESTWOOD AVENUE AND NORTH CAREY STREET;

10 (VI) HEAD SOUTHEASTERLY ON NORTH CAREY STREET TO THE
11 INTERSECTION OF NORTH CAREY STREET AND CUMBERLAND STREET;

12 (VII) HEAD NORTHEASTERLY ON CUMBERLAND STREET TO THE
13 INTERSECTION OF CUMBERLAND STREET AND DIVISION STREET;

14 (VIII) HEAD SOUTHEASTERLY ON DIVISION STREET TO THE
15 INTERSECTION OF DIVISION STREET AND BAKER STREET;

16 (IX) HEAD NORTHEASTERLY ON BAKER STREET TO THE
17 INTERSECTION OF BAKER STREET AND DRUID HILL AVENUE;

18 (X) HEAD SOUTHEASTERLY ON DRUID HILL AVENUE TO THE
19 INTERSECTION OF DRUID HILL AVENUE AND GOLD STREET;

20 (XI) HEAD NORTHEASTERLY ON GOLD STREET TO THE
21 INTERSECTION OF GOLD STREET AND MADISON AVENUE;

22 (XII) HEAD SOUTHEASTERLY ON MADISON STREET TO THE
23 INTERSECTION OF MADISON STREET AND BLOOM STREET;

24 (XIII) HEAD NORTHEASTERLY ON BLOOM STREET TO THE
25 INTERSECTION OF BLOOM STREET AND EUTAW PLACE;

26 (XIV) HEAD SOUTHEASTERLY ON EUTAW PLACE TO THE
27 INTERSECTION OF EUTAW PLACE AND ROBERT STREET;

28 (XV) HEAD NORTHEASTERLY ON ROBERT STREET TO THE
29 INTERSECTION OF ROBERT STREET AND BOLTON STREET;

1 **(XVI) HEAD SOUTHEASTERLY ON BOLTON STREET TO THE**
2 **INTERSECTION OF BOLTON STREET AND LAURENS STREET;**

3 **(XVII) HEAD NORTHEASTERLY ON LAURENS STREET TO THE**
4 **INTERSECTION OF LAURENS STREET AND PARK AVENUE;**

5 **(XVIII) HEAD SOUTHEASTERLY ON PARK AVENUE TO THE**
6 **INTERSECTION OF PARK AVENUE AND McMECHEN STREET;**

7 **(XIX) HEAD NORTHEASTERLY ON McMECHEN STREET TO THE**
8 **INTERSECTION OF McMECHEN STREET AND MOUNT ROYAL AVENUE;**

9 **(XX) HEAD NORTHWESTERLY ON MOUNT ROYAL AVENUE TO THE**
10 **INTERSECTION OF MOUNT ROYAL TERRACE AND LENNOX STREET;**

11 **(XXI) HEAD WESTERLY ON LENNOX STREET TO THE**
12 **INTERSECTION OF LENNOX STREET AND BROOKFIELD AVENUE;**

13 **(XXII) HEAD NORTHWESTERLY ON BROOKFIELD AVENUE TO THE**
14 **INTERSECTION OF BROOKFIELD AVENUE AND DUCATEL STREET;**

15 **(XXIII) HEAD SOUTHWESTERLY ON DUCATEL STREET TO THE**
16 **INTERSECTION OF DUCATEL STREET AND EUTAW PLACE;**

17 **(XXIV) HEAD NORTHWESTERLY ON EUTAW PLACE TO THE**
18 **INTERSECTION OF EUTAW PLACE AND WHITELOCK STREET;**

19 **(XXV) HEAD SOUTHWESTERLY ON WHITELOCK STREET TO THE**
20 **INTERSECTION OF WHITELOCK STREET AND WOODBROOK AVENUE;**

21 **(XXVI) HEAD NORTHWESTERLY ON WOODBROOK AVENUE TO**
22 **THE INTERSECTION OF WOODBROOK AVENUE AND RETREAT STREET;**

23 **(XXVII) HEAD SOUTHWESTERLY ON RETREAT STREET TO THE**
24 **INTERSECTION OF RETREAT STREET AND PENNSYLVANIA AVENUE;**

25 **(XXVIII) HEAD NORTHWESTERLY ON PENNSYLVANIA AVENUE**
26 **TO THE INTERSECTION OF PENNSYLVANIA AVENUE AND CLIFTON AVENUE;**

27 **(XXIX) HEAD SOUTHWESTERLY ON CLIFTON AVENUE TO THE**
28 **INTERSECTION OF CLIFTON AVENUE AND NORTH FULTON AVENUE;**

1 (XXX) HEAD SOUTHERLY ON NORTH FULTON AVENUE TO THE
2 INTERSECTION OF NORTH FULTON AVENUE AND WALBROOK AVENUE;

3 (XXXI) HEAD WESTERLY ON WALBROOK AVENUE TO THE
4 INTERSECTION OF WALBROOK AVENUE AND NORTH HILTON STREET; AND

5 (XXXII) HEAD SOUTHERLY ON NORTH HILTON STREET
6 ENDING AT THE POINT OF BEGINNING, THE INTERSECTION OF NORTH HILTON
7 STREET AND WESTWOOD AVENUE.

8 (2) THIS SUBSECTION DOES NOT APPLY TO:

9 (I) A CLASS B BEER AND LIGHT WINE (RESTAURANT) LICENSE;

10 (II) A CLASS B BEER, WINE, AND LIQUOR (RESTAURANT)
11 LICENSE ISSUED UNDER § 12-1603(C)(1)(II) OF THIS TITLE;

12 (III) A CLASS B-BWL (H-M) LICENSE;

13 (IV) A CLASS C BEER AND WINE LICENSE;

14 (V) A CLASS C BEER, WINE, AND LIQUOR LICENSE;

15 (VI) AN ARENA LICENSE; OR

16 (VII) A MARKETPLACE LICENSE.

17 (3) FOR A LICENSE HOLDER IN THE WEST NORTH AVENUE
18 CORRIDOR, THE HOURS OF SALE MAY NOT BEGIN BEFORE 10 A.M. OR END AFTER 10
19 P.M.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2020.