

HOUSE BILL 868

A2

11r2683
CF SB 547

By: **Delegate Smith**

Introduced and read first time: January 29, 2021

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 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.

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) If the applicant executes a memorandum of understanding with the
25 Charles North Community Association, a Class C beer, wine, and liquor license to a club in
26 the area bounded by North Charles Street on the west, East Lafayette Avenue on the north,
27 North Lovegrove Street on the east, and East Lanvale Street on the south in the 45th
28 alcoholic beverages district;

29 (6) a Class B-D-7 license in the unit block of West North Avenue in the
30 45th alcoholic beverages district;

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

3 (8) two Class B–D–7 licenses in the 2100 block of Maryland Avenue in the
4 43rd alcoholic beverages district;

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

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

9 (i) average daily receipts from the sale of food are at least 65% of
10 the applicant’s total daily receipts;

11 (ii) the applicant executes a memorandum of understanding with a
12 community association;

13 (iii) the applicant does not create a separate package goods
14 department;

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

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

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

20 **(I) AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD ARE AT**
21 **LEAST 65% OF THE APPLICANT’S TOTAL DAILY RECEIPTS;**

22 **(II) THE APPLICANT EXECUTES A MEMORANDUM OF**
23 **UNDERSTANDING WITH A COMMUNITY ASSOCIATION;**

24 **(III) THE APPLICANT DOES NOT CREATE A SEPARATE PACKAGE**
25 **GOODS DEPARTMENT;**

26 **(IV) ALCOHOLIC BEVERAGES ARE SERVED TO PATRONS SEATED**
27 **AT TABLES; AND**

28 **(V) ALCOHOLIC BEVERAGES ARE SERVED ONLY WITH MEALS TO**
29 **PATRONS PROVIDED WITH OUTDOOR TABLE SERVICE.**

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