

Article 2B – Alcoholic Beverages

2.

For the purposes of this article and unless otherwise required by the context:

(p) (1) “Restaurant” means an establishment for the accommodation of the public equipped with a dining room with facilities for preparing and serving regular meals, wherein the average daily receipts from the sale of foods exceed the average daily receipts from the sale of alcoholic beverages. However the board of license commissioners, in any county having this board or in Baltimore City, may by rule or regulation prescribe a different standard as to what constitutes a restaurant.

(2) IN BALTIMORE CITY, THE TERM “FOOD” AS USED IN THE DEFINITION OF “RESTAURANT”, WHETHER DEFINITIONS ESTABLISHED BY STATE LAW OR BY RULES AND REGULATIONS ADOPTED BY THE BOARD OF LICENSE COMMISSIONERS, MAY NOT INCLUDE ANY INGREDIENT OR GARNISH USED WITH OR MIXED WITH AN ALCOHOLIC BEVERAGE THAT IS PREPARED AND SERVED FOR CONSUMPTION ON THE LICENSED PREMISES.

(3) Except that in Harford County a “restaurant” as used in § 14 means a business establishment for the accommodation of the public, fully equipped with a proper and adequate dining room, tables, chairs and sufficient facilities for preparing and serving regular meals, as may be approved by the liquor control board. It must contain sanitary facilities, running hot and cold water, equipment for the proper cleaning of dishes and kitchenware and adequate toilets, as may be approved by the board and department of health. At all times there must be sufficient food on the premises for the regular serving of meals, with a proper sign or signs in front of the establishment designating “restaurant” or food and beverages sold, and not advertising any other business. In this establishment the average gross monthly receipts from the sale of foods cooked or prepared and served on the premises where the license is exercised, and other foods, commodities and items defined by the liquor control board, must exceed 50 percent of the average monthly receipts from the sale of beer and wine, except that a restaurant serving food and beverages in Harford County whose gross monthly receipts from the sale of food averages \$1,500 or more may not be required to sell food and food commodities in excess of 50 percent of the average monthly receipts from the sale of beer and wine.

(4) The requirements of this section relating to average daily receipts are not applicable to any licenses issued in Cecil County.

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(6) THE BOARD OF LICENSE COMMISSIONERS SHALL ADOPT REGULATIONS TO DETERMINE THE MANNER OF OPERATION OF AN ESTABLISHMENT THAT IS OPERATED UNDER A CLASS B-D-7 BEER, WINE AND LIQUOR LICENSE.