

(1987 Replacement Volume and 1989 Supplement)

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

Article 2B – Alcoholic Beverages

53G.

(A) In Washington County, except for a special or temporary license or a certificate of permission or renewal license issued to a personal representative under § 78 of this article, the board of license commissioners may not issue a license to sell alcoholic beverages for any premises that previously have been licensed under this article until all county taxes that are due and owing by the licensee for the operation of the business under the previous license have been paid or judicially satisfied.

(B) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "POPULATION RATIO QUOTA" MEANS 1 LICENSE FOR EACH 1,000 INDIVIDUALS RESIDING IN THE ELECTION DISTRICT WHERE THE LICENSE WILL BE ISSUED AS DETERMINED BY THE LAST FEDERAL POPULATION CENSUS.

(III) "RESTAURANT" MEANS AN ESTABLISHMENT THAT:

- 1. IS LOCATED IN A PERMANENT BUILDING;
- 2. REGULARLY SELLS AND SERVES FOOD TO THE GENERAL PUBLIC;
- 3. HAS A SEATING CAPACITY OF AT LEAST 75 PERSONS; AND
- 4. HAS ON AN ANNUAL BASIS, GROSS SALES OF FOOD AND NONALCOHOLIC BEVERAGES THAT EXCEED ITS ANNUAL GROSS SALES OF ALCOHOLIC BEVERAGES.

(2) IN WASHINGTON COUNTY, EXCEPT FOR A CLASS B ALCOHOLIC BEVERAGES (ON-SALE) LICENSE ISSUED TO A RESTAURANT AND ANY CLASS OF ALCOHOLIC BEVERAGES LICENSE RENEWED OR TRANSFERRED FOR THE SAME PREMISES, AN ALCOHOLIC BEVERAGES LICENSE MAY NOT BE ISSUED WITHIN AN ELECTION DISTRICT IF THE NUMBER OF ALCOHOLIC BEVERAGES LICENSES EXCEEDS THE POPULATION RATIO QUOTA.

(3) (1) IF THE WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS DETERMINES THAT THERE IS A PUBLIC NEED INCLUDING GOVERNMENTALLY SANCTIONED ECONOMIC REVITALIZATION FOR THE ISSUANCE OF A LICENSE NOTWITHSTANDING THE POPULATION RATIO QUOTA, THE LICENSE MAY BE ISSUED BY THE BOARD.