

of the laws of Maryland 1959, being Subsection (a) and Subsection (c) of Section 72-89, Montgomery County Code 1960, are hereby repealed and re-enacted, with amendments, and all to read as follows:

82.

(a) Licenses not to be issued.—No Clerk of the Circuit Court of Montgomery County or of Prince George's County, no administrative official, no licensing body or board, and no person whatever shall issue a license or permit for any commercial or industrial purpose or for the conducting of any commercial or industrial enterprise or business whatsoever in a residential zone, that is, in any district designated on the zone maps as residential within the Regional District. *Nothing contained in this subsection shall be deemed to prohibit the issuance of any license or permit for land or buildings for which special exceptions to the provisions of the zoning regulations have been or may be lawfully granted.*

(c) *Alcoholic Beverage Licenses.*—*In addition, the Board of License Commissioners of Montgomery County, within its discretion, may issue and renew {such} alcoholic beverage licenses AS HAVE BEEN HERETOFORE ISSUED BY SAID BOARD [as were lawfully renewed by the Liquor Control Board in 1938] for premises on which lawful non-conforming uses ~~exists~~ EXIST; PROVIDED THAT NO LICENSE SHALL BE ISSUED WHICH IS LESS RESTRICTIVE THAN ANY WHICH HAS BEEN ISSUED FOR SUCH PREMISES HERETOFORE. [either as restaurants, grocery stores, or roadside stands have continuously existed since 1928.]*

SEC. 2. *And be it further enacted,* That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public peace, health and safety and for the promotion of the general welfare of the public, and having been passed by a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly of Maryland, the same shall take effect from the date of its passage.

Approved March 30, 1965.

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CHAPTER 188

(Senate Bill 488)

AN ACT to repeal Section 200 of the Code of Public Local Laws of Howard County (1957 Edition, being Article 14 of the Code of Public Local Laws of Maryland), title "Howard County", sub-title "Sheriff", as last amended by Chapter 585 of the Acts of 1961, and to enact new Section 200 in lieu thereof, to stand in the place of the section repealed, to increase the minimum salary authorized to be paid to the warden of the Howard County Jail, to provide for the appointment of guards for the jail, the manner of determining the number thereof and the compensation to be paid them and relating generally to the warden and guards of the Howard County Jail.