

a consideration, and which is open to the general public;] (1) any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence; (2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station; (3) any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and (4) any establishment (A) (i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment. [except] Except that premises or portions of premises primarily devoted to the sale of alcoholic beverages and generally described as bars, taverns, or cocktail lounges are not places of public accommodation for the purposes of this subtitle. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO A PRIVATE CLUB OR OTHER ESTABLISHMENT NOT IN FACT OPEN TO THE PUBLIC, EXCEPT TO THE EXTENT THAT THE FACILITIES OF SUCH ESTABLISHMENT ARE MADE AVAILABLE TO THE CUSTOMERS OR PATRONS OF AN ESTABLISHMENT WITHIN THE SCOPE OF THIS SECTION; AND PROVIDED FURTHER THAT THE PROVISIONS OF THIS SECTION SHALL NOT BE APPLICABLE TO ANY BATHING BEACH WHICH IS LOCATED WITHIN THE BOUNDS OF ANY RESIDENTIAL SUBDIVISION WITHIN THIS STATE CONTAINING ONE HUNDRED (100) OR MORE PRIVATE RESIDENCES AND WHICH FULFILLS THE FOLLOWING REQUIREMENTS:

(A) THE DESCRIPTION OF SUCH SUBDIVISION SHALL HAVE BEEN RECORDED AMONG THE LAND RECORDS OF THE RESPECTIVE COUNTY OR THE CITY OF BALTIMORE PRIOR TO JANUARY 1, 1950.

(B) THE DEEDS TO THE INDIVIDUAL PARCELS OF SUCH SUBDIVISION CONTAIN A COVENANT CONVEYING TO THE GRANTEE THE RIGHT TO USE SAID BATHING BEACH WITHOUT THE PAYMENT OF ANY ADMISSION OR OTHER FEE FOR THE USE OF SUCH FACILITIES OTHER THAN THE CONSIDERATION RECITED IN SAID DEED, NOTWITHSTANDING THE FACT THAT PERSONS OTHER THAN THE GRANTEE OF SUCH PARCEL ARE PERMITTED TO USE SUCH FACILITIES SUBJECT TO THE PAYMENT OF AN ADMISSION OR OTHER FEE.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1967.

Approved April 21, 1967.