

restaurants, subject to certain limitations, in Montgomery County.

BY adding to

Article 2B - Alcoholic Beverages
Section 41 (a-3)
Annotated Code of Maryland
(1976 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 41 (a-3) be and it is hereby added to Article 2B - Alcoholic Beverages, of the Annotated Code of Maryland (1976 Replacement Volume and 1976 Supplement) to read as follows:

Article 2B - Alcoholic Beverages

41.

(A-3) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SECTION, IN MONTGOMERY COUNTY THE HOLDER OF A CLASS B (ON SALE - HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSE UNDER THIS ARTICLE, WHOSE PRINCIPAL PLACE OF BUSINESS IS LOCATED IN THE STATE OF MARYLAND AND WHO HAS BEEN A CLASS B LICENSE HOLDER IN MONTGOMERY COUNTY FOR A MINIMUM OF THREE YEARS, BY MAKING APPLICATION IN THE REGULAR MANNER AND PAYING THE USUAL FEES, MAY OBTAIN ONE ADDITIONAL CLASS B (ON SALE - HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSE FOR PREMISES USED AND OCCUPIED AS A BONA FIDE RESTAURANT, AS DEFINED BY THE RULES AND REGULATIONS OF THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR MONTGOMERY COUNTY. THE RESTAURANT SHALL HAVE A CAPITAL INVESTMENT OF NOT LESS THAN \$250,000 FOR RESTAURANT FACILITIES, WHICH SUM MAY NOT INCLUDE THE COST OF LAND OR BUILDINGS, AND SHALL HAVE A MINIMUM SEATING CAPACITY OF 125 PERSONS. THIS SUBSECTION DOES NOT PERMIT THE ISSUANCE OF MORE THAN TWO LICENSES TO ANY PERSON, OR FOR THE USE OF ANY PARTNERSHIP, CORPORATION OR UNINCORPORATED ASSOCIATION IN MONTGOMERY COUNTY. HOWEVER, THE ADDITIONAL LICENSE FOR WHICH PROVISION IS MADE BY THIS SUBSECTION MAY NOT BE COUNTED IN COMPUTING THE NUMBER OF LICENSES PERMITTED PURSUANT TO SUBSECTION (A-2) OF THIS SECTION. THE GRANTING OF THIS ADDITIONAL LICENSE IS LIMITED AND RESTRICTED TO THE PURPOSE OF PROVIDING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE LICENSED PREMISES ONLY; OFF-SALE PRIVILEGES MAY NOT BE EXERCISED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.

Approved May 17, 1977.
