

MC 260-79

FOR the purpose of expanding the membership of the Montgomery County Board of License Commissioners; providing for terms of office; limiting the size of membership by political party; establishing quorum and minimum vote requirement; establishing procedure for approval or disapproval of license application and notification of applicant and interested parties; requiring the Board to adopt rules of procedure subject to the approval of the County Council; and clarifying language.

BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages  
Section 60(m) and 150(c)  
Annotated Code of Maryland  
(1976 Replacement Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 2B - Alcoholic Beverages

60.

(m) (1) In Montgomery County, the board of license commissioners shall cause a suitable sign or notice to be posted and to remain posted for a period of thirty days in a conspicuous place on the premises described in the application, the posting to be done at least thirty days before public hearing on the application; and the notice shall also specify the class of license applied for and the time and place fixed for a hearing on the application.

(2) A DECISION ON AN APPLICATION FOR A LICENSE SHALL BE MADE ON THE BASIS OF EVIDENCE OF RECORD.

(3) WHEN THE BOARD OF LICENSE COMMISSIONERS ACTS UPON AN APPLICATION FOR A LICENSE, THE BOARD SHALL ADOPT A RESOLUTION WHICH SHALL CONTAIN A DETAILED STATEMENT OF THE GROUNDS AND FINDINGS FORMING THE BASIS FOR THE DECISION AND THE VOTE OF EACH MEMBER OF THE BOARD ON THE DECISION. A COPY OF THE RESOLUTION SHALL BE FORWARDED TO THE APPLICANT AND ALL PERSONS WHO SO REQUEST IN THE MANNER PRESCRIBED BY THE BOARD. IN ADDITION, IN THE CASE OF DENIAL, THE BOARD SHALL INFORM THE APPLICANT IN WRITING OF THE PROCEDURES FOR APPEAL.

(4) THE BOARD SHALL ADOPT RULES OF PROCEDURE, SUBJECT TO THE APPROVAL OF THE COUNTY COUNCIL.

150.