

Annotated Code of Maryland
(1996 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9-102.2

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(As enacted by Section 1 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9-102(a-3) of Article 2B of the Annotated Code of Maryland be renumbered to be Section(s) 9-102.2.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

9-102.

[(a-2)(1) Notwithstanding any other provision 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, by making application in the regular manner and paying the usual fee, may obtain the additional Class B (on-sale – hotels and restaurants) beer, wine and liquor licenses authorized by this subsection.

(2) A license holder 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 3 years, 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. 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.

(3) A license holder may obtain additional Class B (on-sale – hotels and restaurants) beer, wine and liquor licenses for premises operated as a public hotel which meet the minimum requirements identical to those described in § 6-201(a)(3) of this article, except, if the capital investment in the hotel exceeds \$3,000,000, the building height and elevator requirements provided in § 6-201(a)(3) of this article do not apply and the minimum restaurant area seating capacity provided for in § 6-201(a)(3) of this article shall be 100 persons.

(4) This subsection does not permit the issuance to a person or for the use of any partnership, corporation, unincorporated association, or limited liability company in Montgomery County of more than 2 licenses for restaurants.