

Annotated Code of Maryland(1998 Replacement Volume and 1998 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 6-201(d)(1)(viii)

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SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

6-201.

(d) (1) (i) This subsection applies only in Baltimore City.

(vii) In addition to the other requirements provided for in this subsection, in the 46TH AND 47th Alcoholic Beverages [District] DISTRICTS the restaurant shall have a minimum:

1. Capital investment of [~~\$250,000~~] \$500,000 for restaurant facilities not including the cost of the land, [or] THE building, OR IMPROVEMENTS THAT ARE NOT TO THE INTERIOR OF A BUILDING ON THE LICENSED PREMISES; and

2. Seating capacity of 75 persons, AND A MAXIMUM SEATING CAPACITY OF 150 PERSONS.

(VIII) 1. NOTWITHSTANDING § 1-102(A)(22)(D)3 OF THIS ARTICLE, FOR A LICENSEE WHO IS ISSUED A CLASS B BEER, WINE AND LIQUOR LICENSE FOR USE IN A RESTAURANT IN THE 46TH OR 47TH ALCOHOLIC BEVERAGES DISTRICT, THE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD MUST BE AT LEAST ~~50%~~ 51% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT.

2. A LICENSEE ANNUALLY, AT THE TIME THE LICENSE IS RENEWED, SHALL FILE WITH THE BOARD OF LICENSE COMMISSIONERS FOR BALTIMORE CITY A STATEMENT OF AVERAGE DAILY RECEIPTS AND AN AFFIDAVIT OF A LICENSED CERTIFIED PUBLIC ACCOUNTANT THAT VERIFY THAT THE LICENSEE HAS MET THE REQUIREMENT OF SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

3. A LICENSE MAY NOT BE TRANSFERRED FROM THE LOCATION OF ITS FIRST ISSUANCE.

4. A LICENSE MAY NOT BE ISSUED FOR USE IN AN ESTABLISHMENT THAT IS A FAST FOOD STYLE RESTAURANT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved April 13, 1999.