

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(d)(1)(ix) ~~and (x)~~, (x), and (xi)

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

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.

(a) (1) A Class B beer, wine and liquor license shall be issued by the license issuing authority of the county in which the place of business is located, and the license authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel or restaurant at the place described, for consumption on the premises or elsewhere, or as provided in this section.

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

(iv) Except for the 47th Alcoholic Beverages District, this license shall be issued in accordance with the provisions of subsection (a) of this section.

(vii) In addition to the other requirements provided for in this subsection, in the 46th and 47th Alcoholic Beverages Districts the restaurant shall have a minimum:

1. [Capital] EXCEPT AS PROVIDED IN SUBPARAGRAPH (IX) OF THIS PARAGRAPH, CAPITAL investment of \$500,000 for restaurant facilities not including the cost of the land, 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, EXCEPT AS PROVIDED IN SUBPARAGRAPH (IX) OF THIS PARAGRAPH, a maximum seating capacity of 150 persons.

(viii) 1. Notwithstanding § 1–102(a)(22)(i)3 of this article AND, EXCEPT AS PROVIDED IN SUBPARAGRAPH (IX) OF THIS PARAGRAPH, 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 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 LIQUOR 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-paragraph 1 of this subparagraph OR SUBPARAGRAPH (IX) OF THIS PARAGRAPH.

3. A license may not be transferred from the location of its first issuance.