

52B.

(b) (2) Notwithstanding the provisions of subsection (a) of this section, the Montgomery County Board of License Commissioners by unanimous vote may approve an alcoholic beverages license of an applicant for a restaurant establishment which is located on land classified in or near a CBD zone (central business district zone), IN OR NEAR THE ROCKVILLE TOWN CENTER PERFORMANCE DISTRICT, or in or near the Takoma Park Transit Impact Area, if the following conditions are satisfied:

(i) 1. If the restaurant building is outside [a CBD zone or the Takoma Park Transit Impact Area,] THE RESPECTIVE ZONE, DISTRICT, OR AREA the measurement of the distance of the nearest point of the restaurant building to the nearest boundary line of [a CBD zone or the Takoma Park Transit Impact Area] THE RESPECTIVE ZONE, DISTRICT, OR AREA is 500 feet or less; or

2. The restaurant building is entirely contained in land classified in [a CBD zone or the Takoma Park Transit Impact Area] THE RESPECTIVE ZONE, DISTRICT, OR AREA;

(ii) The issuance of the requested license will not adversely affect nearby schools, churches, youth centers or the nearest residential community; and

(iii) Except for the distance restrictions provided in subsection (a) of this section, the restaurant otherwise qualifies under this article for the issuance of the license requested.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act do not in any way affect the transfer or renewal of an alcoholic beverages license that has been issued prior to July 1, 1990.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved April 30, 1991.

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**CHAPTER 160**

**(House Bill 183)**

AN ACT concerning

**Montgomery County – Alcoholic Beverages License Fees**

**MC 107-91**

FOR the purpose of altering the termination date of certain increases in the license fees for certain special and regular Class B alcoholic beverages licenses issued in Montgomery County.

BY repealing and reenacting, without amendments,