## SENATE BILL 755

A2 1lr2695 CF HB 1288

By: Senator Hayes

Introduced and read first time: February 5, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 26, 2021

CHAPTER

1 AN ACT concerning

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## Baltimore City – 40th District Alcoholic Beverages

- FOR the purpose of authorizing the Board of License Commissioners for Baltimore City to issue a certain license in a certain area of the 40th alcoholic beverages district in Baltimore City under certain circumstances; prohibiting certain license holders in certain areas of the 40th alcoholic beverages district in Baltimore City from selling alcoholic beverages at certain times of day, with certain exceptions; making technical correction; and generally relating to alcoholic beverages in Baltimore City.
- 9 BY repealing and reenacting, without amendments,
- 10 Article Alcoholic Beverages
- 11 Section 12–102 and 12–2004(b) and (c)
- 12 Annotated Code of Maryland
- 13 (2016 Volume and 2020 Supplement)
- 14 BY repealing and reenacting, with amendments,
- 15 Article Alcoholic Beverages
- 16 Section 12–1603 and 12–2005
- 17 Annotated Code of Maryland
- 18 (2016 Volume and 2020 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:

Article - Alcoholic Beverages

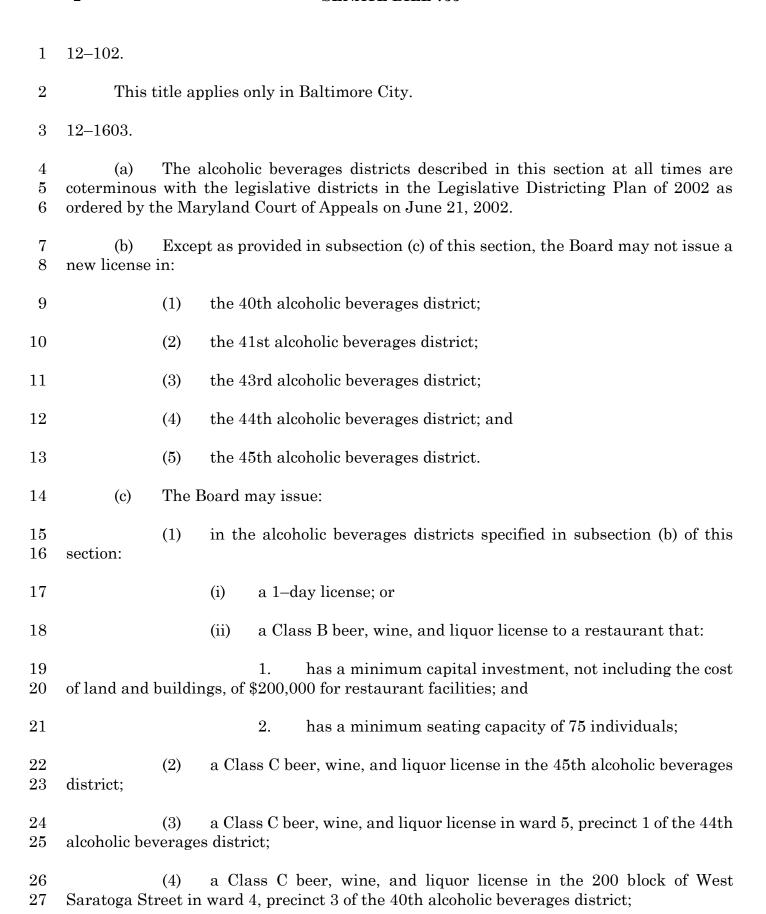
## EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





1 2 3 4 5	(5) If the applicant executes a memorandum of understanding with the Charles North Community Association, a Class C beer, wine, and liquor license to a club in the area bounded by North Charles Street on the west, East Lafayette Avenue on the north, North Lovegrove Street on the east, and East Lanvale Street on the south in the 45th alcoholic beverages district;
6 7	(6) a Class B–D–7 license in the unit block of West North Avenue in the 45th alcoholic beverages district;
8	(7) two Class B–D–7 licenses in the 2100 block of North Charles Street in the 43rd alcoholic beverages district;
10	(8) two Class B–D–7 licenses in the 2100 block of Maryland Avenue in the 43rd alcoholic beverages district;
12 13	(9) subject to the requirements under subsection (e) of this section, four Class B–D–7 licenses in the 43rd alcoholic beverages district; [and]
14 15	(10) a Class B–D–7 license in the 5400 block of Harford Road the in 45th alcoholic beverages district if:
16 17	(i) average daily receipts from the sale of food are at least 65% of the applicant's total daily receipts;
18 19	(ii) the applicant executes a memorandum of understanding with a community association;
20 21	(iii) the applicant does not create a separate package goods department;
22	(iv) alcoholic beverages are served to patrons seated at tables; and
23 24	(v) alcoholic beverages are served only with meals to patrons provided with outdoor table service;
25 26 27	(11) A CLASS <del>C BEER, WINE, AND LIQUOR</del> <u>B-D-7</u> LICENSE <del>IN</del> <u>ON THE EASTERN SIDE OF</u> THE 400 BLOCK OF NORTH HOWARD STREET IN THE 40TH ALCOHOLIC BEVERAGES DISTRICT <u>IF:</u>
28	(I) THE APPLICANT DOES NOT CONVERT THE LICENSE TO A

30 (II) ALCOHOLIC BEVERAGES ARE SERVED OUTDOORS ONLY TO
31 PATRONS SEATED AT TABLES OR STANDING IN A COURTYARD AREA;

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**DIFFERENT LICENSE CLASS**;

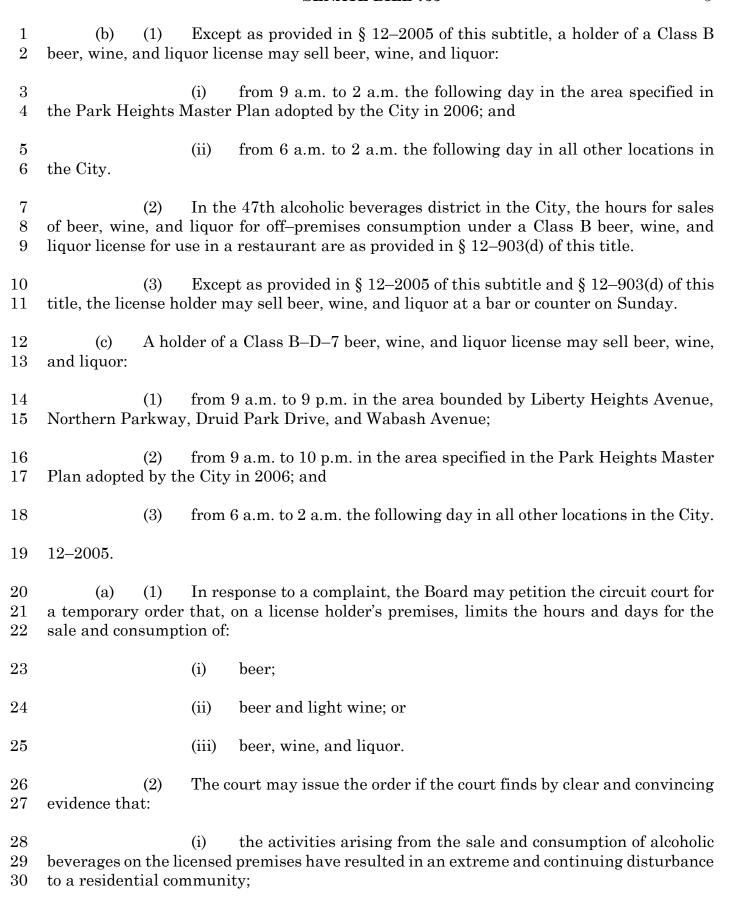
1	(III) THE APPLICANT DOES NOT ALLOW THE OFF-PREMISES SALE
2	OF ALCOHOLIC BEVERAGES;
0	(W)
$\frac{3}{4}$	(IV) ALCOHOLIC BEVERAGES SALES BEGIN NO EARLIER THAN 10 A.M.; AND
4	A.M., AND
5	(V) THE APPLICANT EXECUTES MEMORANDUMS OF
6	UNDERSTANDING WITH THE DOWNTOWN PARTNERSHIP OF BALTIMORE AND THE
7	MARKET CENTER MERCHANTS ASSOCIATION; AND
8	(12) IF THE APPLICANT EXECUTES A MEMORANDUM OF
9	UNDERSTANDING WITH THE BOLTON HILL COMMUNITY ASSOCIATION, A CLASS C
10	BEER, WINE, AND LIQUOR LICENSE IN THE 1200 BLOCK OF EUTAW PLACE IN THE
11	40TH ALCOHOLIC BEVERAGES DISTRICT.
12	(d) One Class B–D–7 license issued for a property surrounded by Morton Street
13	on the west, West Eager Street on the north, North Charles Street on the east, and West
14	Read Street on the south may be transferred to a property surrounded by 21st Street on
15	the north, Morton Street on the west, North Charles Street on the east, and 20th Street on
16	the south.
17	(e) (1) In this subsection, "Old Goucher Revitalization District" means the
18	area surrounded by Howard Street on the west, 25th Street on the north, Hargrove Street
19	on the east, and 21st Street on the south.
20	(2) If an establishment has a minimum capital investment, not including
21	land and acquisition costs, of \$50,000, the Board may issue one Class B–D–7 license for use
22	in each of the following properties in the Old Goucher Revitalization District:
23	(i) a property that is surrounded by Maryland Avenue on the west,
$\frac{23}{24}$	24th Street on the north, Morton Street on the east, and 22nd Street on the south;
25	(ii) a property that is surrounded by Morton Street on the west, 23rd
26	Street on the north, Lovegrove Street on the east, and 22nd Street on the south;
27	(iii) a property that is surrounded by Morton Street on the west, Ware
28	Street on the north, Charles Street on the east, and 24th Street on the south; and
29	(iv) a property that is surrounded by Maryland Avenue on the west,
$\Delta J$	(1) a property that is surrounded by Maryland Avenue on the west,

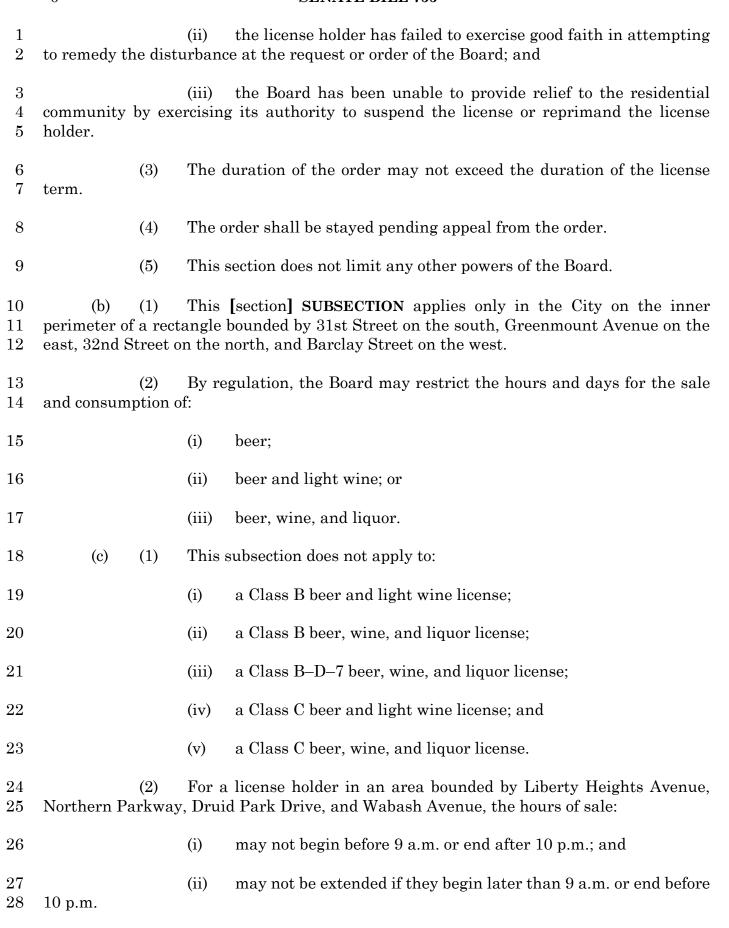
31 (3) A Class B–D–7 license that may be issued under **SUBSECTION** (c)(6) or 32 (7) of this section may be transferred within the Old Goucher Revitalization District.

24th Street on the north, Morton Street on the east, and 23rd Street on the south.

33 12–2004.

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1 For a license holder in an area bounded on the north by North Avenue, (3)2 on the west by Central Avenue and Harford Avenue, on the south by Monument Street as 3 it runs from North Central Avenue to North Wolfe Street and McElderry Street as it runs 4 from North Wolfe Street to Luzerne Avenue, and on the east by Luzerne Avenue as it runs from Monument Street to Federal Street, then by Rose Street as it runs from Federal Street 5 to North Avenue, the hours of sale: 6 7 (i) may not begin before 9 a.m. or end after 10 p.m.; and may not be extended if they begin later than 9 a.m. or end before 8 (ii) 9 10 p.m. 10 (D) **(1)** THIS SUBSECTION DOES NOT APPLY TO: 11 **(I)** A CLASS B BEER AND LIGHT WINE (RESTAURANT) LICENSE; 12 (II)A CLASS B BEER, WINE, AND LIQUOR (RESTAURANT) 13 LICENSE ISSUED UNDER § 12–1603(C)(1)(II) OF THIS TITLE; 14 (III) A CLASS B-BWL (H-M) LICENSE; A CLASS C BEER AND WINE LICENSE; 15 (IV) 16 (V) A CLASS C BEER, WINE, AND LIQUOR LICENSE; 17 (VI) AN ARENA LICENSE; OR 18 (VII) A MARKETPLACE LICENSE. 19 **(2)** FOR A LICENSE HOLDER IN THE 40TH ALCOHOLIC BEVERAGES 20 DISTRICT, THE HOURS OF SALE FOR ALCOHOLIC BEVERAGES MAY NOT BEGIN 21BEFORE 10 A.M. OR END AFTER 10 P.M. WITHIN AN AREA BOUNDED AS FOLLOWS: 22 FROM THE INTERSECTION OF REISTERSTOWN ROAD AND (I)QUANTICO AVENUE, NORTHWEST ON REISTERSTOWN ROAD TO THE INTERSECTION 23 WITH WYLIE AVENUE, NORTHEAST ON WYLIE AVENUE TO THE INTERSECTION WITH 2425PIMLICO ROAD, NORTHWEST ON PIMLICO ROAD TO THE INTERSECTION WITH DUPONT AVENUE, EAST ON DUPONT AVENUE TO THE INTERSECTION WITH PALL 26MALL ROAD, SOUTHEAST ON PALL MALL ROAD TO THE INTERSECTION WITH 27 EDGECOMBE CIRCLE NORTH, EAST ON EDGECOMBE CIRCLE NORTH TO THE 28 29 INTERSECTION WITH FINNEY AVENUE, SOUTH ON FINNEY AVENUE TO THE INTERSECTION WITH OAKFORD AVENUE, WEST ON OAKFORD AVENUE TO THE 30 31 INTERSECTION WITH PALL MALL ROAD, SOUTHEAST ON PALL MALL ROAD TO THE INTERSECTION WITH LOYOLA NORTHWAY, SOUTHWEST ON LOYOLA NORTHWAY TO 32

THE INTERSECTION WITH PIMLICO ROAD, SOUTHEAST ON PIMLICO ROAD TO THE

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1	INTERSECTION WITH QUANTICO AVENUE, AND SOUTHWEST ON QUANTICO AVENUE
2	TO THE INTERSECTION WITH REISTERSTOWN ROAD;
3	(II) FROM THE INTERSECTION OF NORTH MONROE STREET
4	AND WESTWOOD AVENUE, NORTH ON NORTH MONROE STREET TO THE
5	INTERSECTION WITH WEST NORTH AVENUE, EAST ON WEST NORTH AVENUE TO
6	THE INTERSECTION WITH WHITELOCK STREET, NORTHEAST ON WHITELOCK
7 8	STREET TO THE INTERSECTION WITH MCCULLOH STREET, SOUTHEAST ON MCCULLOH STREET TO THE INTERSECTION WITH GOLD STREET, SOUTHWEST ON
9	GOLD STREET TO THE INTERSECTION WITH GOLD STREET, SOUTHWEST ON
10	NORTHWEST ON NORTH CALHOUN STREET TO THE INTERSECTION WITH
11	WESTWOOD AVENUE, AND WEST ON WESTWOOD AVENUE TO THE INTERSECTION
12	WITH NORTH MONROE STREET; AND
13	(III) FROM THE INTERSECTION OF MILLINGTON AVENUE WITH
14	WILKENS AVENUE, NORTHWEST ON MILLINGTON AVENUE TO THE INTERSECTION
15	WITH FREDERICK AVENUE, NORTHEAST ON FREDERICK AVENUE TO THE
16	INTERSECTION WITH WEST PRATT STREET, EAST ON WEST PRATT STREET TO THE
17	INTERSECTION WITH SOUTH MOUNT STREET, SOUTH ON SOUTH MOUNT STREET TO
18	THE INTERSECTION WITH EAGLE STREET, SOUTHWEST ON EAGLE STREET TO THE
19	INTERSECTION WITH SOUTH SMALLWOOD STREET, NORTHWEST ON SOUTH
20	SMALLWOOD STREET TO THE INTERSECTION WITH WILKENS AVENUE, AND
21	SOUTHWEST ON WILKENS AVENUE TO THE INTERSECTION WITH MILLINGTON
22	AVENUE.
23	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
$\frac{23}{24}$	1, 2021.
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	Approved:
	Governor.
	President of the Senate.
	Speaker of the House of Delegates.