

SENATE BILL 935

A2

0lr3388

By: **Senator Hayes**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2020

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Alcoholic Beverages – West North Avenue**
3 **Corridor – Restrictions**

4 FOR the purpose of prohibiting certain license holders in an area known as the West North
5 Avenue Corridor in Baltimore City from opening before a certain time of day, with
6 certain exceptions; defining “West North Avenue Corridor”; making a technical
7 correction; and generally relating to alcoholic beverages in Baltimore City.

8 BY repealing and reenacting, without amendments,
9 Article – Alcoholic Beverages
10 Section 12–102 and 12–2004(b) and (c)
11 Annotated Code of Maryland
12 (2016 Volume and 2019 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Alcoholic Beverages
15 Section 12–2005
16 Annotated Code of Maryland
17 (2016 Volume and 2019 Supplement)

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

20 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 12-102.

2 This title applies only in Baltimore City.

3 12-2004.

4 (b) (1) Except as provided in § 12-2005 of this subtitle, a holder of a Class B
5 beer, wine, and liquor license may sell beer, wine, and liquor:

6 (i) from 9 a.m. to 2 a.m. the following day in the area specified in
7 the Park Heights Master Plan adopted by the City in 2006; and

8 (ii) from 6 a.m. to 2 a.m. the following day in all other locations in
9 the City.

10 (2) In the 47th alcoholic beverages district in the City, the hours for sales
11 of beer, wine, and liquor for off-premises consumption under a Class B beer, wine, and
12 liquor license for use in a restaurant are as provided in § 12-903(d) of this title.

13 (3) Except as provided in § 12-2005 of this subtitle and § 12-903(d) of this
14 title, the license holder may sell beer, wine, and liquor at a bar or counter on Sunday.

15 (c) Except as provided in § 12-2005 of this subtitle, a holder of a Class B-D-7
16 beer, wine, and liquor license may sell beer, wine, and liquor:

17 (1) from 9 a.m. to 10 p.m. in the area specified in the Park Heights Master
18 Plan adopted by the City in 2006; and

19 (2) from 6 a.m. to 2 a.m. the following day in all other locations in the City.

20 12-2005.

21 (a) (1) In response to a complaint, the Board may petition the circuit court for
22 a temporary order that, on a license holder's premises, limits the hours and days for the
23 sale and consumption of:

24 (i) beer;

25 (ii) beer and light wine; or

26 (iii) beer, wine, and liquor.

27 (2) The court may issue the order if the court finds by clear and convincing
28 evidence that:

1 (i) the activities arising from the sale and consumption of alcoholic
2 beverages on the licensed premises have resulted in an extreme and continuing disturbance
3 to a residential community;

4 (ii) the license holder has failed to exercise good faith in attempting
5 to remedy the disturbance at the request or order of the Board; and

6 (iii) the Board has been unable to provide relief to the residential
7 community by exercising its authority to suspend the license or reprimand the license
8 holder.

9 (3) The duration of the order may not exceed the duration of the license
10 term.

11 (4) The order shall be stayed pending appeal from the order.

12 (5) This section does not limit any other powers of the Board.

13 (b) (1) This [section] **SUBSECTION** applies only in the City on the inner
14 perimeter of a rectangle bounded by 31st Street on the south, Greenmount Avenue on the
15 east, 32nd Street on the north, and Barclay Street on the west.

16 (2) By regulation, the Board may restrict the hours and days for the sale
17 and consumption of:

18 (i) beer;

19 (ii) beer and light wine; or

20 (iii) beer, wine, and liquor.

21 (c) (1) This subsection does not apply to:

22 (i) a Class B beer and light wine license;

23 (ii) a Class B beer, wine, and liquor license;

24 (iii) a Class C beer and light wine license; and

25 (iv) a Class C beer, wine, and liquor license.

26 (2) For a license holder in an area bounded by Liberty Heights Avenue,
27 Northern Parkway, Druid Park Drive, and Wabash Avenue, the hours of sale:

28 (i) may not begin before 9 a.m. or end after 10 p.m.; and

1 (ii) may not be extended if they begin later than 9 a.m. or end before
2 10 p.m.

3 (D) (1) IN THIS SUBSECTION, "WEST NORTH AVENUE CORRIDOR" MEANS
4 THE INTERIOR OF THE AREA DESCRIBED AS FOLLOWS:

5 (I) STARTING AT THE INTERSECTION OF NORTH HILTON
6 STREET AND WESTWOOD AVENUE HEAD EASTERLY TO THE INTERSECTION OF
7 WESTWOOD AVENUE AND POPLAR GROVE STREET;

8 (II) HEAD SOUTHERLY ON POPLAR GROVE STREET TO THE
9 INTERSECTION OF POPLAR GROVE STREET AND PRESBURY STREET;

10 (III) HEAD EASTERLY ON PRESBURY STREET TO THE
11 INTERSECTION OF PRESBURY STREET AND ASHBURTON STREET;

12 (IV) HEAD NORTHERLY ON ASHBURTON STREET TO THE
13 INTERSECTION OF ASHBURTON STREET AND WESTWOOD AVENUE;

14 (V) HEAD EASTERLY ON WESTWOOD AVENUE TO THE
15 INTERSECTION OF WESTWOOD AVENUE AND NORTH CAREY STREET;

16 (VI) HEAD SOUTHEASTERLY ON NORTH CAREY STREET TO THE
17 INTERSECTION OF NORTH CAREY STREET AND CUMBERLAND STREET;

18 (VII) HEAD NORTHEASTERLY ON CUMBERLAND STREET TO THE
19 INTERSECTION OF CUMBERLAND STREET AND DIVISION STREET;

20 (VIII) HEAD SOUTHEASTERLY ON DIVISION STREET TO THE
21 INTERSECTION OF DIVISION STREET AND BAKER STREET;

22 (IX) HEAD NORTHEASTERLY ON BAKER STREET TO THE
23 INTERSECTION OF BAKER STREET AND DRUID HILL AVENUE;

24 (X) HEAD SOUTHEASTERLY ON DRUID HILL AVENUE TO THE
25 INTERSECTION OF DRUID HILL AVENUE AND GOLD STREET;

26 (XI) HEAD NORTHEASTERLY ON GOLD STREET TO THE
27 INTERSECTION OF GOLD STREET AND MADISON AVENUE;

28 (XII) HEAD SOUTHEASTERLY ON MADISON STREET TO THE
29 INTERSECTION OF MADISON STREET AND BLOOM STREET;

30 (XIII) HEAD NORTHEASTERLY ON BLOOM STREET TO THE
31 INTERSECTION OF BLOOM STREET AND EUTAW PLACE;

1 (XIV) HEAD SOUTHEASTERLY ON EUTAW PLACE TO THE
2 INTERSECTION OF EUTAW PLACE AND ROBERT STREET;

3 (XV) HEAD NORTHEASTERLY ON ROBERT STREET TO THE
4 INTERSECTION OF ROBERT STREET AND BOLTON STREET;

5 (XVI) HEAD SOUTHEASTERLY ON BOLTON STREET TO THE
6 INTERSECTION OF BOLTON STREET AND LAURENS STREET;

7 (XVII) HEAD NORTHEASTERLY ON LAURENS STREET TO THE
8 INTERSECTION OF LAURENS STREET AND PARK AVENUE;

9 (XVIII) HEAD SOUTHEASTERLY ON PARK AVENUE TO THE
10 INTERSECTION OF PARK AVENUE AND McMECHEN STREET;

11 (XIX) HEAD NORTHEASTERLY ON McMECHEN STREET TO THE
12 INTERSECTION OF McMECHEN STREET AND MOUNT ROYAL AVENUE;

13 ~~(XX) HEAD NORTHWESTERLY ON MOUNT ROYAL AVENUE TO THE~~
14 ~~INTERSECTION OF MOUNT ROYAL TERRACE AND LENNOX STREET;~~

15 ~~(XXI) HEAD WESTERLY ON LENNOX STREET TO THE~~
16 ~~INTERSECTION OF LENNOX STREET AND BROOKFIELD AVENUE;~~

17 ~~(XXII) HEAD NORTHWESTERLY ON BROOKFIELD AVENUE TO THE~~
18 ~~INTERSECTION OF BROOKFIELD AVENUE AND DUCATEL STREET;~~

19 ~~(XXIII) HEAD SOUTHWESTERLY ON DUCATEL STREET TO THE~~
20 ~~INTERSECTION OF DUCATEL STREET AND EUTAW PLACE;~~

21 ~~(XXIV) HEAD NORTHWESTERLY ON EUTAW PLACE TO THE~~
22 ~~INTERSECTION OF EUTAW PLACE AND WHITELOCK STREET;~~

23 ~~(XXV) HEAD SOUTHWESTERLY ON WHITELOCK STREET TO THE~~
24 ~~INTERSECTION OF WHITELOCK STREET AND WOODBROOK AVENUE;~~

25 ~~(XXVI) HEAD NORTHWESTERLY ON WOODBROOK AVENUE TO~~
26 ~~THE INTERSECTION OF WOODBROOK AVENUE AND RETREAT STREET;~~

27 ~~(XXVII) HEAD SOUTHWESTERLY ON RETREAT STREET TO THE~~
28 ~~INTERSECTION OF RETREAT STREET AND PENNSYLVANIA AVENUE;~~

1 ~~(XXVIII) HEAD NORTHWESTERLY ON PENNSYLVANIA AVENUE~~
 2 ~~TO THE INTERSECTION OF PENNSYLVANIA AVENUE AND CLIFTON AVENUE;~~

3 ~~(XXIX) HEAD SOUTHWESTERLY ON CLIFTON AVENUE TO THE~~
 4 ~~INTERSECTION OF CLIFTON AVENUE AND NORTH FULTON AVENUE;~~

5 ~~(XXX) HEAD SOUTHERLY ON NORTH FULTON AVENUE TO THE~~
 6 ~~INTERSECTION OF NORTH FULTON AVENUE AND WALBROOK AVENUE;~~

7 (XX) HEAD NORTHWESTERLY ON MOUNT ROYAL AVENUE TO
 8 THE INTERSECTION OF MOUNT ROYAL AVENUE AND WEST NORTH AVENUE;

9 (XXI) HEAD WESTERLY ON WEST NORTH AVENUE TO THE
 10 INTERSECTION OF WEST NORTH AVENUE AND EUTAW PLACE;

11 (XXII) HEAD NORTHWESTERLY ON EUTAW PLACE TO THE
 12 INTERSECTION OF EUTAW PLACE AND WHITELOCK STREET;

13 (XXIII) HEAD SOUTHWESTERLY ON WHITELOCK STREET TO
 14 THE INTERSECTION OF WHITELOCK STREET AND WOODBROOK AVENUE;

15 (XXIV) HEAD NORTHWESTERLY ON WOODBROOK AVENUE TO
 16 THE INTERSECTION OF WOODBROOK AVENUE AND RETREAT STREET;

17 (XXV) HEAD SOUTHWESTERLY ON RETREAT STREET TO THE
 18 INTERSECTION OF RETREAT STREET AND PENNSYLVANIA AVENUE;

19 (XXVI) HEAD NORTHWESTERLY ON PENNSYLVANIA AVENUE TO
 20 THE INTERSECTION OF PENNSYLVANIA AVENUE AND CLIFTON AVENUE;

21 (XXVII) HEAD SOUTHWESTERLY ON CLIFTON AVENUE TO THE
 22 INTERSECTION OF CLIFTON AVENUE AND NORTH FULTON AVENUE;

23 (XXVIII) HEAD SOUTHERLY ON NORTH FULTON AVENUE TO
 24 THE INTERSECTION OF NORTH FULTON AVENUE AND WALBROOK AVENUE;

25 ~~(XXXI)~~ (XXIX) HEAD WESTERLY ON WALBROOK AVENUE TO
 26 THE INTERSECTION OF WALBROOK AVENUE AND NORTH HILTON STREET; AND

27 ~~(XXXII)~~ (XXX) HEAD SOUTHERLY ON NORTH HILTON STREET
 28 ENDING AT THE POINT OF BEGINNING, THE INTERSECTION OF NORTH HILTON
 29 STREET AND WESTWOOD AVENUE.

30 (2) THIS SUBSECTION DOES NOT APPLY TO:

1 (I) A CLASS B BEER AND LIGHT WINE (RESTAURANT) LICENSE;

2 (II) A CLASS B BEER, WINE, AND LIQUOR (RESTAURANT)
3 LICENSE ISSUED UNDER § 12-1603(C)(1)(II) OF THIS TITLE;

4 (III) A CLASS B-BWL (H-M) LICENSE;

5 (IV) A CLASS C BEER AND WINE LICENSE;

6 (V) A CLASS C BEER, WINE, AND LIQUOR LICENSE;

7 (VI) AN ARENA LICENSE; OR

8 (VII) A MARKETPLACE LICENSE.

9 (3) FOR A LICENSE HOLDER IN THE WEST NORTH AVENUE
10 CORRIDOR, THE HOURS OF SALE MAY NOT BEGIN BEFORE 10 A.M. OR END AFTER 10
11 P.M.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.