

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Lantner

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Checked by _____

By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Town of Kensington – Alcoholic Beverages – Special**
3 **B–K Licenses**

4 **MC 702–07**

5 FOR the purpose of altering the number and providing for the description of
6 commercial areas in the Town of Kensington in Montgomery County in which
7 the Board of License Commissioners may issue special B–K alcoholic beverages
8 licenses for use on the premises of restaurants located in those areas; altering
9 the percentage of overall average daily receipts from the sale of food for on–
10 premises consumption that must be maintained by restaurants that hold special
11 B–K alcoholic beverages licenses; prohibiting restaurants that are issued special
12 B–K alcoholic beverages licenses only under this Act from serving alcoholic
13 beverages after a certain hour; and generally relating to alcoholic beverages in
14 the Town of Kensington in Montgomery County.

15 BY repealing and reenacting, with amendments,
16 Article 2B – Alcoholic Beverages
17 Section 8–216(a)(2)(iv)
18 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



19 (2005 Replacement Volume and 2006 Supplement)

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

22 **Article 2B – Alcoholic Beverages**

23 8–216.

24 (a) (2) (iv) 1. In the town of Kensington, the Montgomery County
25 Board of License Commissioners may issue a special B–K beer and wine license or a
26 special B–K beer, wine and liquor license for use on the premises of a restaurant
27 located in the following commercial areas:

28 A. The west side of Connecticut Avenue between
29 Knowles Avenue and Perry Avenue;

30 B. The east side of Connecticut Avenue between Knowles
31 Avenue and Dupont Street and between University Boulevard and Perry Avenue;

32 C. The west side of University Boulevard West;

33 D. Dupont Avenue, west of Connecticut Avenue;

34 E. Plyers Mill Road, west of Metropolitan Avenue;

35 F. Summit Avenue between Knowles Avenue and
36 Howard Avenue;

37 G. Detrick Avenue between Knowles Avenue and
38 Howard Avenue; [or]

39 H. The southwest side of Metropolitan Avenue between
40 North Kensington Parkway and Plyers Mill Road;

41 **I. EAST HOWARD AVENUE;**

42 **J. ARMORY AVENUE BETWEEN HOWARD AVENUE**
43 **AND KNOWLES AVENUE; OR**

44 **K. MONTGOMERY AVENUE BETWEEN HOWARD**
45 **AVENUE AND KENSINGTON PARKWAY.**

46 2. A special B–K beer, wine and liquor license or a
47 special B–K beer and wine license authorizes the holder to keep for sale and sell
48 alcoholic beverages for consumption on the premises only.

49 3. A licensee shall maintain average daily receipts from
50 the sale of food, not including carryout food, of at least [70%] **50%** of the overall
51 average daily receipts.

52 4. **IN ADDITION TO THE RESTRICTIONS IN**
53 **SUBSUBPARAGRAPHS 2 AND 3 OF THIS SUBPARAGRAPH, THE HOLDER OF A**
54 **SPECIAL B–K BEER AND WINE LICENSE OR A SPECIAL B–K BEER, WINE AND**
55 **LIQUOR LICENSE IN THE COMMERCIAL AREAS SPECIFIED IN ITEMS I, J, AND K**
56 **OF THIS SUBSUBPARAGRAPH MAY NOT SERVE ALCOHOLIC BEVERAGES AFTER**
57 **11:00 P.M.**

58 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
59 October 1, 2007.