

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2023 Legislative Session, Legislative Day No.: November 14, 2023

Bill No.: 1550

Expiration Date: January 18, 2024

Introduced by: Mr. Callahan, Ms. Haythe, Mr. Leshner, Ms. Mielke, Mr. Stepp

A BILL TO AMEND CHAPTER 11 OF THE TALBOT COUNTY CODE (ALCOHOLIC BEVERAGES) REGARDING THE ISSUANCE OF CLASS E BEER, WINE, AND LIQUOR LICENSES FOR URBAN LOCATIONS

By the Council: November 14, 2023

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, December 12, 2023 at 6:30 p.m. at the Bradley Meeting Room, Talbot County Courthouse, South Wing, 11 North Washington Street, Easton, Maryland 21601.

By Order: 
Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 11 OF THE TALBOT COUNTY CODE (ALCOHOLIC BEVERAGES) REGARDING THE ISSUANCE OF CLASS E BEER, WINE, AND LIQUOR LICENSES FOR URBAN LOCATIONS

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND that Chapter 11 (Alcoholic Beverages) shall be and is hereby amended as follows:

KEY	
Boldface	Heading or defined term
<u>Underlining</u>	Added to law by Bill
Strikethrough	Deleted from law by Bill
* * *	Existing law unaffected

* * *

§ 11-8 General provisions on issue of licenses

* * *

D. Restrictions upon off-sale licenses, market-test, grandfathering

* * *

(2) ~~Except for Class A licenses for supermarkets and Class I licenses for alcohol dispensary bistros issued to the holder of a Class E license to replace the Class E license~~ Subject to the exceptions set forth in Paragraph D. (6) below, off-sale licenses are subject to the following requirements. The Board shall limit and restrict the number of new off-sale licenses as set forth in this section.

* * *

(6) The requirements set forth in Paragraph D. (2) above shall not apply to, nor prohibit the Board from issuing, Class A licenses for supermarkets, Class I licenses for alcohol dispensary bistros issued to the holder of a Class E licenses to replace the Class E license, or Class E licenses issued for an urban location if the municipality in which the urban location is located does not have an existing alcohol dispensary holding a valid Class E license.

~~(6)~~(7) New off-sale licenses shall be at least 500 feet from public or private schools, public parks, and correctional facilities. Licensees holding off-sale licenses lawfully issued and validly existing on the effective date of this ordinance shall be permitted to renew and

maintain such licenses at existing locations provided that all such applications for renewal otherwise comply with all then-existing ordinances, laws and regulations, as amended from time to time.

~~(7)~~(8) In addition to the requirements of this section, an applicant for a new off-sale license must meet all other applicable criteria.

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SECTION TWO: AND BE IT FURTHER ENACTED, that if any provision of this Bill or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Bill which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bill are declared severable.

SECTION THREE: AND BE IT FURTHER ENACTED, that the Publishers of the Talbot County Code and the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, may make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation included in this Bill, as finally adopted, that are incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FOUR: AND BE IT FURTHER ENACTED, that this Bill shall take effect sixty (60) days from the date of its passage.


PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. 1550 having been published, a public hearing was held on Tuesday, December 12, 2023, at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: **January 16, 2024**

By Order 
Susan W. Moran, Secretary

Callahan	-	Aye
Stepp	-	Aye
Leshner	-	Aye
Mielke	-	Aye
Haythe	-	Aye

EFFECTIVE DATE: **March 16, 2024**