



City of
Rockville
Get Into It

Planning Commission Staff Report: Proposed Zoning Text Amendment TXT2018-00246

MEETING DATE: August 9, 2017

REPORT DATE: August 2, 2017

FROM: Deane Mellander, Zoning Administrator
Planning and Zoning Division
240.314.8224
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APPLICANT: Mayor and Council of Rockville

FILING DATE: July 11, 2017

RECOMMENDATION: Staff recommends approval of the proposed text amendment

EXECUTIVE SUMMARY: The proposed text amendment will clarify the different categories of alcoholic beverage production (full vs. limited) and amends the land use tables in Articles 12 and 13 to add the new uses and in which zones these uses may be allowed. The text amendment will also establish a parking standard for alcoholic beverage production.

***Zoning Ordinance of
The City of Rockville***
*Adopted December 15, 2008
by Ordinance 19-08*

Being Chapter 25 of the Rockville City Code

Effective Date – March 16, 2009

As Amended to
October 12, 2015

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APPLICANT'S PROPOSAL

The proposed text amendment will add two new definitions for alcoholic beverage production, depending on the size of the operation. The land use tables are amended to add the new defined uses and identify where each of the uses will be permitted. The parking regulations are also revised to provide parking requirements for the new uses.

PROCESS AND PROCEDURE

The Mayor and Council discussed the subject of alcoholic beverage production and distribution in the City at its April 24 meeting. Staff provided information about how the State and Montgomery County regulate the production and distribution of alcoholic beverages as well as regulations of surrounding jurisdictions. In addition, the Staff Report set forth possible Zoning Ordinance text revisions to clarify and identify where alcoholic beverage production and distribution may be allowed in the City. At the end of the April 24 meeting, the Mayor and Council directed staff to prepare a formal text amendment for consideration and authorization to file.

The Mayor and Council authorized the filing of the text amendment on July 10. The public hearing is currently scheduled to be held on September 11.

RECOMMENDATION

The staff recommends approval of the proposed text amendment.

ANALYSIS

The proposed text amendment is attached as Exhibit 1. The first part of the amendment will add two new definitions for alcoholic beverage production drawn from the State regulations. These would be Alcoholic Beverage Production, and Alcoholic Beverage Production, Limited. The definitions identify the difference by referring to the State production classifications. The terms (and the uses) are then inserted into the land use tables for the relevant industrial and mixed use zones.

The proposed new definitions for alcoholic beverage production are as follows:

Alcoholic beverage production: The production of any alcoholic beverage or neutral spirits by means of distilling, fermenting, brewing, or rectifying under the following Maryland State production classifications: Classes 1, 2, 3, 4, 5, 6, 7, and 9. Tastings or samplings of products are permitted in accordance with State law.

Alcoholic beverage production, limited: The production of any alcoholic beverage or neutral spirits by means of distilling, fermenting, brewing, or rectifying under the

following Maryland State production classifications: Classes 4, 6, and 7. Tastings or samplings of products are permitted in accordance with State law.

Exhibit 3 provides a tabular summary of the State alcohol production classifications.

The definitions cover any alcoholic beverage production – whiskey, vodka, wine, beer, etc. Reference is made to the tasting and promotional operations of these uses as set forth in the State regulations.

Unlimited production would be permitted in the I-H (Heavy Industrial) Zone (currently unmapped in the City), as is now permitted, and in the MXE (Mixed-use Employment) Zone. Unlimited production includes all of the State production classes except Class 8 – Farm Brewery, since the City has no qualifying farms.

Limited production is proposed to be permitted in the I-L light industrial zone and in the Mixed-Use Transit District (MXTD), Mixed-Use Corridor District (MXCD), MXE, and Mixed-Use Business (MXB) use zones (See the map at Exhibit 2). Limited production includes the following State production classes: Class 4 – Limited Winery; Class 6 – Pub Brewery; Class 7 – Micro-Brewery.

Staff recommends that neither use be allowed in the Mixed-Use Neighborhood Center (MXNC), Mixed-Use Commercial (MXC) and Mixed-Use Transition (MXT) zones. These zones are lower density zones with either a neighborhood orientation or function as a transition between residential neighborhoods and mixed-use areas.

The map (Exhibit 2) illustrates all the zones where the use could be located. This is again dependent on the size of the production operation as to whether the use is limited to 22,500 barrels or allowed with no restriction. Exhibit 4 is a summary of alcohol-related actions taken at this year's legislative session in Annapolis.

Staff has made the determination that brew pubs like Gordon Biersch are deemed to be restaurants, with the brewing operation accessory to the restaurant use. As such, restaurants operating as brew pubs would be permitted in all the mixed-use zones and by special exception in the I-L Zone, as long as they hold the appropriate County license. This is consistent with a Class 6 Pub Brewery as set forth in the State regulations. This is distinguished from tasting rooms which the State allows in conjunction with production facilities with limitations on the amount of product served. Restaurants are not permitted in the I-H Zone.

Parking

The parking requirements proposed are the same as for a Manufacturing Establishment in the current code. This requires one parking space for each 1,000 square feet of gross floor area plus one space for each vehicle used for the business. It also requires one (1) short term bike space and two (2) spaces for each 15,000 square feet. The additional requirement allows the Approving

Authority to consider any special characteristics of the proposed use that may require more than the minimum number of spaces. This may come into play where there may be a substantial tasting area associated with the use. Also, the proposed text amendment would permit the Approving Authority to consider the availability of on-street parking when determining the parking requirement.

EXHIBITS

- 1. Proposed Text Amendment**
- 2. Map - Zones where alcoholic beverage production could be allowed**
- 3. State Alcoholic Beverage Production Classifications**
- 4. Summary of 2017 State Legislation**



Application for

Text Amendment
TXT
2/09
City of Rockville*Department of Community Planning and Development Services*

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • Fax: 240-314-8210 • E-mail: Cpds@rockvillemd.gov • Web site: www.rockvillemd.gov

Application Information:Is this an Amendment to Existing Text ? ☒ YES ☐ NOAdd New Zone Classes: ☐ YES ☒ NOAdd New Uses: ☒ YES ☐ NONumber of new uses: 2

Ordinance # _____

*Please Print Clearly or Type*Property Address information N/AProject Description N/A**Applicant Information:***Please supply Name, Address, Phone Number and E-mail Address*Applicant Mayor and Council of RockvilleProperty Owner N/AArchitect N/AEngineer N/AAttorney N/A**STAFF USE ONLY****Application Acceptance:**

Application # _____

Date Accepted: _____

Staff Contact: _____

OR

Application Intake:

Date Received: _____

Reviewed by: _____

Date of Checklist Review: _____

Deemed Complete: Yes ☒ No ☐

Application is hereby made with the Rockville Mayor and Council for Approval of a change in the text of the Zoning and Planning Ordinance of Rockville, Maryland.

Page _____ Article 3, 12, 13, 16 Section _____

FROM: Which reads as follows See Attachment

TO: Reads as follows See Attachment

By: _____
(Signature of Applicant)

Subscribed and sworn before this _____ day of _____, 20____

My Commission Expires _____
Notary Public

The following documents are furnished as part of the application:

- ☐ A Complete Application
- ☐ Filing Fee

Comments on Submittal: (For Staff Use Only)

July 10, 2017

ATTACHMENT TO APPLICATION
TO THE CITY OF ROCKVILLE FOR A
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of the City of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~strikethroughs~~ indicate text to be deleted; * * * indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article 3, "Definitions; Terms of Measurements and Calculations", as follows:

* * *

Alcoholic beverage production: The production of any alcoholic beverage or neutral spirits by means of distilling, fermenting, brewing, or rectifying under the following Maryland State production classifications: Classes 1, 2, 3, 4, 5, 6, 7, and 9. Tastings or samplings of products are permitted in accordance with State law.

Alcoholic beverage production, limited: The production of any alcoholic beverage or neutral spirits by means of distilling, fermenting, brewing, or rectifying under the following Maryland State production classifications: Classes 4, 6, and 7. Tastings or samplings of products are permitted in accordance with State law.

Amend Article 12, "Industrial Zones", as follows:

25.12.03 – Land Use Tables

* * *

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
* * *				
g. Industrial and service uses	<u>Alcoholic beverage production</u>	<u>C</u>	<u>P</u>	<u>Conditional use must not adjoin a residential use in a residential zone.</u>
	<u>Alcoholic beverage production, limited</u>	<u>P</u>	<u>P</u>	
	Heavy industrial use	N	P	
	Light industrial use	P	P	
	* * *			

Amend Article 13, "Mixed-Use Zones", as follows:

* * *

25.13.03 – Land Use Tables

* * *

	Uses	Zones							Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
* * *									
j. Industrial and service uses	<u>Alcoholic beverage production</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Conditional use must not be located within 500 feet of a residential use in a residential zone.</u>
	<u>Alcoholic beverage production, limited</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Conditional use must be at least 250' from a lot with a public or private school providing pre-school and/or K-12 education</u>
	Light industrial use	N	N	P	N	N	N	N	
	Service industrial use	N	N	P	C	N	N	N	Conditional use must not adjoin or confront single-unit dwellings
	* * *								

Amend Article 16, "Parking and Loading", as follows:

* * *

25.16.03 – Number of Spaces Required

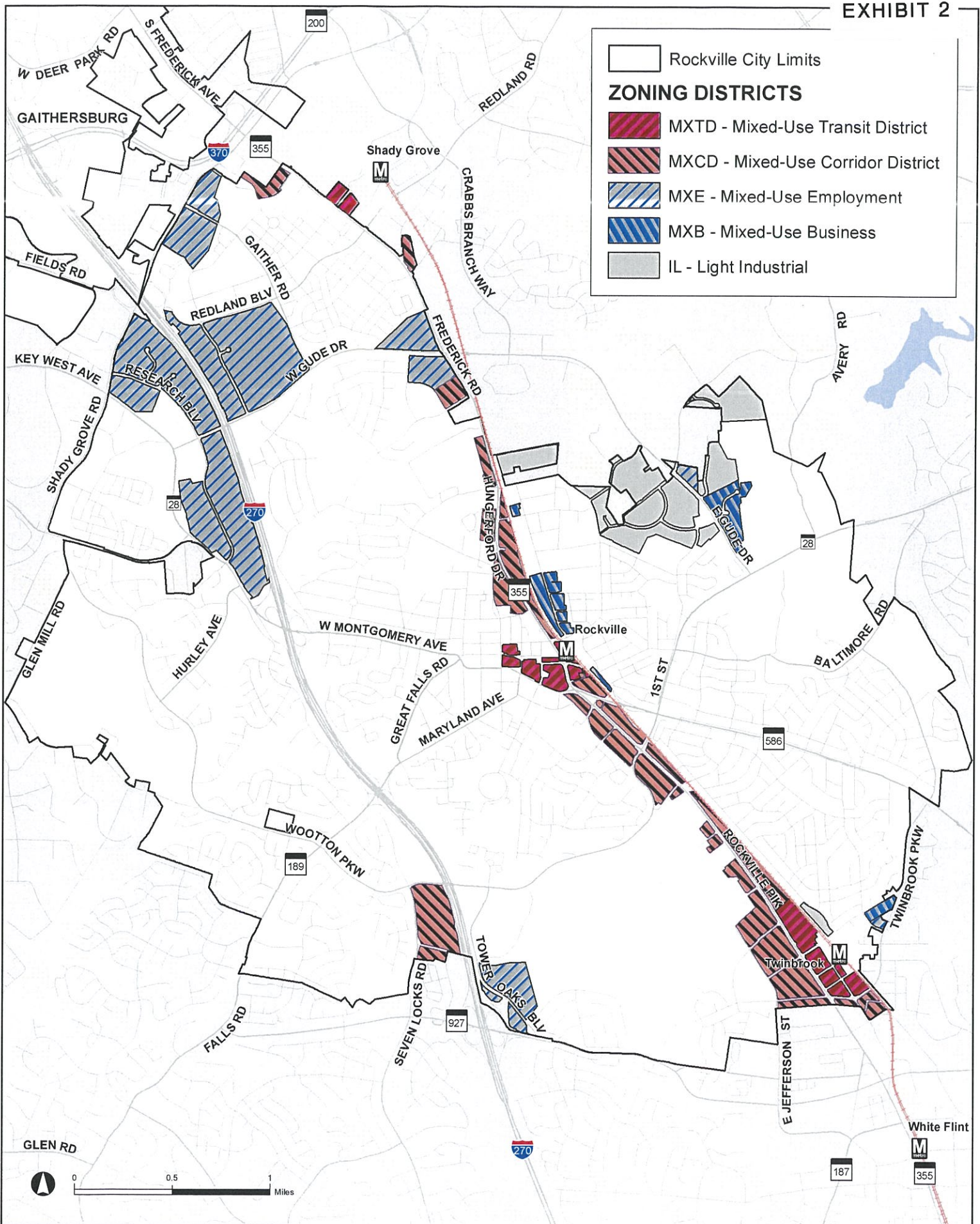
* * *

		Auto Parking Spaces		Bicycle Parking Spaces			
Use Category	Use	Unit Measure	Base Number Required	Unit Measure	Short Term Space	Long Term Space	Additional Requirements
* * *							
Industrial and service	<u>Alcoholic beverage production</u>	<u>Per each 1,000 GFA</u>	<u>1 and</u>	<u>Square feet of gross floor area</u>	<u>1</u>	<u>2 per 15,000 SF</u>	<u>Plus additional spaces as may be required by the Approving Authority depending on the character of the use. See also Sec. 25.16.03.j.2.</u>
		<u>Per each vehicle used with the business</u>	<u>1</u>				
	* * *						

* * *

j. *Provisions for Off-Site Parking*

1. The parking requirements set forth in Section 25.16.03 may be met with the execution of a formal agreement in a form satisfactory to the Chief of Planning Zoning and the City Attorney to use off-site parking spaces for some or all of the required parking.
2. In the case of parking in connection with alcoholic beverage production, the Approving Authority may consider the availability of on-street parking to serve patrons for periodic tours or tasting events.



SUMMARY OF MARYLAND ALCOHOLIC BEVERAGE PRODUCTION REGULATIONS		
State Class	Production Capacity	On-Site Customer Activities
1 - Distillery	May be unlimited.	Guided tours allowed. Three ½ oz. samples may be offered. Up to 3 750ml bottles may be sold if the facility produces no more than 27,500 gallons/yr. Product consumption allowed as part of a planned promotional event.
2 – Manufacturer's License - Rectifying	For the rectifying, blending and bottling of alcoholic beverages and wholesaling .	Guided tours allowed. Three ½ oz. samples may be offered. Product consumption allowed as part of a planned promotional event.
3- Manufacturer's License - Winery	Production of wine or importation of bulk wine, and wholesaling.	Sell wine made from Maryland products at retail at the winery to guided tour participants. Limit of one quart per person per year. Serve at no charge no more than 6 oz. of wine to tour participants. In Montgomery County a Class D beer and light wine license may be issued to a holder of a Class 3 license that produces no more than 20,000 gallons per year.
4 – Limited Winery	Produce wine and distill and bottle pomace brandy, and wholesale same. Pomace brandy production limited to 1,900 gallons made from Maryland agricultural products.	May sell product for consumption. May offer samples up to 2 oz. free or for a fee, and sell bread and baked goods, chili, chocolate, crackers, cured meats, fruits, salads and vegetables, and hard and soft cheeses. Also may sell these items made with Maryland wine – ice cream, jam and jelly, vinegar, pizza, pre-packaged foods, soup, and condiments.
5 - Brewery	Produce malt beverages, and import beer from nonresident dealers.	Serve samples as part of a guided tour or promotional event, limited to six samples and not more than 3 oz. each. May also sell beer to participants, limited to 288 oz. per person. Total amount of beer sold for on-premises consumption may not exceed 500 barrels.
6 – Pub Brewery	Must hold a Class B beer, wine, and liquor (on-sale) license issued to a restaurant. May brew malt beverages for consumption at the restaurant, and limited to 2,000 barrels per year.	In Montgomery County, the licensee must enter into a written agreement with the Department of Liquor Control for sale or resale of the beverages.
7 – Micro-Brewery	On- and off-sale license. Must hold a Class B wine, beer, and liquor (on-sale) license as part of a restaurant. May brew and bottle malt beverages; may obtain a Class 2 rectifying license for a premises located within 1 mile of the existing Class 7 micro-brewery location to bottle malt beverages brewed at the micro-brewery location. May not brew more than 22,500 barrels of malt beverage per year. The on-sale privilege limits retail sales to 4,000 barrels per year.	In Montgomery County, must hold a Class H beer and light wine license on the premises of a restaurant, or a Class D beer and light wine license.

8 – Farm Brewery	To sell and deliver beer manufactured on a licenses farm. Must use Maryland agricultural products in production. Production limited to 15,000 barrels per year.	May provide samples free or for a fee, not exceeding 6 oz. per brand. May also sell or serve bread and baked goods, chili, chocolate, crackers, cured meats, fruits, salads and vegetables, and hard and soft cheeses. Also may sell these items made with Maryland wine – ice cream, jam and jelly, vinegar, pizza, pre-packaged foods, soup, and condiments.
9 – Limited Distillery	To operate a plant for distilling, rectifying, and bottling brandy, rum, whiskey, alcohol, and neutral spirits. Must maintain only one brand each at a time. Production limited to 100,000 gallons per year. Retail sale for on- or off- sale is limited to 15,500 gallons per year.	May conduct guided tours and serve not more than 3 samples of ½ oz. each from a single product.

SCHWARTZ, METZ & WISE, P.A.

ATTORNEYS

20 WEST STREET
ANNAPOLIS, MARYLAND 21401

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**2017 General Assembly
Alcohol Legislation**

Please find a summary below of Statewide bills as well as Montgomery County bills that were enacted during the 2017 General Assembly Session:

Statewide**House Bill 42 – *Alcoholic Beverages – Class 1 Distillery Licenses***

This bill authorizes a Class 1 distillery license holder to rectify, blend, and bottle specified alcoholic beverages at the location described in the license. A Class 1 distillery license holder may acquire alcoholic beverages from the holder of a manufacturer's license, wholesaler's license, or nonresident dealer's permit for use in manufacturing. The bill alters the samples that a Class 1 license holder may serve to specified individuals. A license holder may sell 2.25 liters, instead of three 750-milliliter bottles, of products manufactured on the licensed premises for off-premises consumption. Additionally, the bill expands the Class 1 distillery license holder's hours for on-premises consumption. A Class 1 distillery license must be obtained for each trade name and for each distillery in the State. It permits a distiller to manufacture alcoholic beverages in the name of another person or under a trade name, provided that a distillery license has been issued to that other person or under that trade name, as the case may be. It also permits the license holder to (1) acquire bulk alcoholic beverages from the holder of a distillery, rectifying, or winery license in the State or from the holder of a nonresident dealer's permit; (2) conduct guided tours; (3) serve samples; and (4) sell up to three 750-milliliter bottles of products manufactured on the licensed premises, for consumption off the licensed premises, and related merchandise, to persons of legal drinking age who participate in a guided tour of the licensed premises.

House Bill 252 – *Alcoholic Beverages – Liquor and Wine*

This bill clarifies that a beer and wine license holder in Baltimore, Caroline, Carroll, Cecil, Dorchester, Frederick, Garrett, Harford, Kent, Montgomery, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester counties may not sell wine that contains more than 22% alcohol by volume. The bill also defines "liquor" to have the same meaning as "distilled spirits."

House Bill 292/Senate Bill 491 – *Alcoholic Beverages – Nonrefillable Containers – Draft Beer*

This bill establishes a nonrefillable container permit in the State. The permit authorizes the sale of draft beer for off-premises consumption by packaging the beer in a nonrefillable container that meets specified standards. The permit may be issued by a local board of license commissioners in 19 counties, Baltimore City, and the City of Annapolis. The term and hours of sale for a nonrefillable container permit are the same as those of the underlying license. An applicant who holds an underlying license without an off-sale privilege must meet the same advertising, posting of notice, and public hearing requirements as those for the underlying license. To be used as a nonrefillable container for draft beer, a container must: (1) be made out of aluminum; (2) be sealable; (3) have a capacity of 32 ounces; (4) be branded with the identifying marks of the seller of the container; and (5) bear the federal health warning statement required for refillable containers. For each of the 21 jurisdictions authorized to issue the permit, the bill establishes what kind of licensee can obtain the permit, the hours of sale, and annual permit fees for each of the 21

jurisdictions authorized to issue the permit. Applicants in specified jurisdictions may not be charged a fee for the nonrefillable container permit if they already have a refillable container permit.

House Bill 464 – *Alcoholic Beverages – Beer, Wine, and Liquor Exhibition Permit*

This bill alters an existing national family beer and wine exhibition permit to be a national beer, wine, and liquor exhibition permit that may be issued to a bona fide alcohol trade association. The bill's permit authorizes an exhibition and competition in the same manner as the family beer and wine permit. Under the bill, the permit may be granted for any licensed or unlicensed premises.

House Bill 792 – *Office of Legislative Audits – Performance Audits – Local Alcoholic Beverages Licensing Boards*

This bill requires the Office of Legislative Audits (OLA), at any time on request of both Presiding Officers, to conduct a performance audit of a local alcoholic beverages licensing board to evaluate the effectiveness and efficiency of the management practices of the board and the economy with which the board uses resources. Generally, OLA must conduct a fiscal/compliance audit of each unit of the State government (except for units of the Legislative Branch) at an interval ranging from three to four years, unless the Legislative Auditor determines, on a case-by-case basis, that more frequent audits are required. Each agency or program may be audited separately or as part of a larger organizational unit of State government. OLA must also conduct performance audits or financial statement audits when authorized by the Legislative Auditor, directed by the Joint Audit Committee, or the Executive Director of the Department of Legislative Services, or otherwise required by law.

House Bill 987 – *Alcoholic Beverages – Direct Wine Shipper's Permit – Application and Renewal Requirements*

This bill requires a person that applies to obtain or renew a direct wine shipper's permit to identify the wines manufactured by the applicant that the applicant intends to ship into the State. To qualify for a direct wine shipper's permit, the applicant must be: (1) a person licensed outside the State to engage in the manufacture of wine; or (2) a holder of a State-issued Class 3 (winery) or Class 4 (limited winery) manufacturer's license. The direct wine shipper must ensure that all containers of wine shipped directly to a consumer in the State are conspicuously labeled with: (1) the name of the direct wine shipper; (2) the name and address of the consumer who is the intended recipient; and (3) the words "Contains Alcohol; Signature of Person at Least 21 Years of Age Required for Delivery." A direct wine shipper is prohibited from shipping more than 18 nine-liter cases of wine annually to a single delivery address or delivering wine on Sunday to an address in the State.

House Bill 1283 – *Alcoholic Beverages – Class 5 Brewery License*

This legislation applies to Class 5 Breweries only, and as amended by the Senate and adopted by the House: (1) grandfathers current hours for all existing breweries; breweries licensed in the future will have to close at 10 pm, 7 days a week; (2) raises on-premise consumption limits from 500 to 3,000 barrels; (3) all products consumed on the premises of a brewery must be brands owned by the brewery; (4) contract brewing is now legally permitted (it was not before, but was being done); (5) a certain amount of the products served at the brewery can be brewed at other locations – either contract brewed or in the case of Diageo, brewed by its other affiliates (Stout, for example); and (6) the Class D beer license or on-site consumption permit obtained by the brewery "may" be issued by the local licensing board; current law specifies that it "shall" be issued.

House Bill 1386 – Maryland Public Ethics Law – Members and Employees of Boards of License Commissioners and Liquor Control Boards

This bill applies the requirements of the Maryland Public Ethics Law to members and employees of local boards of license commissioners and local liquor control boards by designating that these individuals are “public officials” subject to the Maryland Public Ethics Law. Accordingly, the bill also adds the local liquor control boards of Somerset and Wicomico counties to those local entities that are subject to the Maryland Public Ethics Law. The bill does not apply in counties in which the county councils or board of county commissioners sit as a board of license commissioners or liquor control board. Accordingly, the bill does not apply in Dorchester, Howard, and Kent counties, where the legislative body sits as a board of license commissioners or a liquor control board.

Senate Bill 210 – Alcoholic Beverages – Class 8 Farm Brewery License Holders – Food Service

This bill authorizes the holder of a Class 8 Farm Brewery License to sell or serve any type of food (instead of only specified types of food) if the license holder is also licensed to operate a food establishment in the State.

Senate Bill 281 – Alcoholic Beverages – Definition of Beer – Hard Cider

This bill increases, from 7% to 8.5%, the maximum alcohol by volume that hard cider may have in order to be included within the Alcoholic Beverages Article’s definition of “beer.” “Hard cider” is a beverage derived primarily from apples, apple concentrate and water, pears, or pear concentrate and water.

Senate Bill 1138 – Alcoholic Beverages – Family Beer and Wine Facility Permit

This bill repeals a provision that prohibits the holder of a family beer and wine facility permit from simultaneously holding another alcoholic beverages license. A family beer and wine facility permit authorizes the holder to: (1) establish a facility to produce family beer or wine by a consumer who is of legal drinking age but does not have a license; and (2) provide equipment, raw materials, and instructions to a consumer. A patron of a family beer and wine facility may use the facility to produce beer or wine for home consumption only. A permit holder may not produce beer or wine except to test equipment or recipes, as well as for sampling in a specified manner. A permit holder may not hold another license simultaneously.

Montgomery County

House Bill 306 – Montgomery County – Alcoholic Beverages – Tasting at Dispensaries MC 19-17

This bill authorizes the Montgomery County Department of Liquor Control (DLC) dispensaries to hold on-premises tastings of beer, wine, and liquor. A dispensary may sell beer, wine, and liquor for tasting purposes from its own inventory and, once a bottle is opened, it must be marked that it may be used for tasting purposes only. For each individual participating in a tasting, a dispensary may serve: (1) 0.5-ounce samples of liquor with no more than 1.5 total ounces sampled each day; (2) 1-ounce samples of wine with no more than 4 total ounces sampled each day; and (3) 3-ounce samples of beer with no more than 12 total ounces sampled each day.

House Bill 307 – Montgomery County – Alcoholic Beverages – Limited Distilleries – Class B and Class D Licenses MC 6-17

This bill authorizes the Comptroller to issue a Class 9 limited distillery license to a holder of a Class B beer, wine, and liquor (BWL) (on-sale) license or a Class D BWL (on-sale) license in Montgomery County. The holder of a Class 9 limited distillery license may sell its distilled products for on- and off-premises consumption. A Class 9 limited distillery license authorizes the user to distill, rectify, bottle, or

sell no more than 100,000 gallons of brandy, rum, whiskey, alcohol, and neutral spirits under specified conditions.

House Bill 309 – *Montgomery County – Beer, Wine, and Liquor Festival License MC 7-17*

This bill authorizes Montgomery County to conduct the Montgomery County Beer, Wine, and Liquor Festival through a “festival organization” to be selected by the county. The bill establishes various requirements and limitations regarding the festival and the nonprofit organization selected to organize the festival. Before a person may sell or display beer, wine, and liquor at the festival, the person must contract with the festival organization and also obtain a special beer, wine, and liquor festival license from the Montgomery County Board of License Commissioners. The license fee is \$30 per day, and the license may only be issued to the holders of specified types of alcoholic beverages licenses. Alcoholic beverages must only be displayed and sold during festival hours for consumption on or off premises.

House Bill 311 – *Montgomery County – Alcoholic Beverages – Class H-BW Licenses MC 9-17*

This bill specifies that the 10-license limit on Class B BWL licenses in Montgomery County may include one or more Class H-BW licenses. A Class H-BW license authorizes the license holder to sell beer and light wine at a hotel or restaurant for on-premises consumption.

House Bill 315 – *Montgomery County – Alcoholic Beverages – Contracts to Sell Liquor for Off-Premises Consumption MC 18-17*

This bill expands the authority of the Montgomery County DLC to contract with a person to operate a retail outlet for the sale of liquor for off-premises consumption. Specifically, the bill repeals an eligibility requirement that limits DLC to only contract with a person who had an existing contract on January 1, 1997. Instead, DLC may contract with any person that holds a license to sell alcoholic beverages for off-premises consumption or for on- and off-premises consumption. The bill also requires DLC to establish criteria for contracting with retail outlets and repeals a limitation on the products that may be sold by a retail outlet that contracts with DLC.

House Bill 397 – *Montgomery County – Alcoholic Beverages – Licenses MC 17-17*

This bill authorizes the holder of a Class 7 micro-brewery license in Montgomery County to: (1) brew in two locations using the same Class 7 license; and (2) obtain a Class 2 rectifying license for the premises at the two locations authorized under the Class 7 license. To brew in two locations, the holder of a Class 7 micro-brewery license must request and obtain permission from the Comptroller by submitting a written application. Before authorizing a second brewing location, the Comptroller must make a determination that a second location is necessary due to insufficient space at the existing Class 7 license location and consider any other factors relevant to the approval of the application. A license holder may not serve or sell malt beverages for on- or off-premises consumption at the second location.

House Bill 560 – *Montgomery County – Alcoholic Beverages Licenses – Hours of Sale MC 8-17*

This bill authorizes the holder of a Class B BWL license or a Class B BWL (H-M) license in Montgomery County to sell alcoholic beverages for one additional hour on a Monday that the federal government has designated as a public holiday. Specifically, the bill: (1) repeals the existing list of holidays that include the additional hour of sales; and (2) authorizes alcoholic beverages to be sold on a Sunday from 10 a.m. to 3 a.m. the following day when that following day is designated as a federal public holiday.