

**QUEEN ANNE'S COUNTY BOARD OF LICENSE COMMISSIONERS  
WEDNESDAY, NOVEMBER 25, 2020  
10:00 A.M.**

**HEARING ON PROPOSED LEGISLATION - § 27-1403. APPLICATION ON BEHALF OF CORPORATION OR LIMITED LIABILITY COMPANY (COPY OF PROPOSED LEGISLATION ON FOLLOWING PAGE)**

**HEARING ON PROPOSED REGULATION - § 4-202(d) POPULATION AND NUMERICAL LIMITATIONS (COPY OF PROPOSED RULE ON FOLLOWING PAGE)**

**OTHER ITEMS:**

**VOTE ON RENEWALS (IF ANY ARE READY)**

**FINALIZE NEW LICENSE APPLICATION**

**VOTE ON PROPOSED LOGO AND STICKERS/HANGERS**

**ROUND TABLE**

**ADJOURN**

## **§ 27-1403. Application on behalf of corporation or limited liability company**

### **Requirements for Class A beer, wine, and liquor license application**

(a)(1) An individual on behalf of a corporation or limited liability company may not be issued a Class A beer, wine, and liquor license unless the corporation or limited liability company is:

- (i) a Maryland entity in good standing; or
- (ii) a foreign entity registered to do business in the State.

(2) A Class A beer, wine, and liquor license may not be issued for a corporation if more than one class of common stock is authorized by the corporate charter.

### **For applications other than for Class A beer, wine, and liquor licenses**

(b)(1) This subsection does not apply to:

- (i) a Class A beer, wine, and liquor license; or
- (ii) any other license issued before May 1, 1976.

(2) An applicant for a license on behalf of a corporation or limited liability company is not required to be a resident of the county.

(3) Except as provided in subsection (c) of this section, each applicant applying for a license for a corporation or limited liability company shall own at least 15% of the total outstanding shares of common stock of the corporation or at least a 15% interest in the limited liability company, entitling the applicant to vote at a meeting of stockholders or members.

(4) A license may not be issued for a corporation if more than one class of common stock is authorized by the corporate charter.

(5) Except as provided in subsection (c) of this section, each year, an applicant, the corporation, or the limited liability company shall submit to the Board a sworn statement that contains:

- (i) the name and address of each stockholder of the corporation and the number of shares the stockholder owns and is entitled to vote at a stockholder meeting; or
- (ii) the name and address of each member of the limited liability company and the amount of interest the member owns and is entitled to vote at a meeting of members.

(6) The Board may require an applicant to submit other information regarding the background and prior activities of the applicant.

**Scope of section**

(c) Subsection (b)(3) and (5) of this section does not apply to:

(1) a Class B beer, wine, and liquor (on-sale) license for use in a conference center; or

(2) any alcoholic beverages license issued within the municipal limits of any incorporated town;

or

(3) Up to four licenses that may be granted an exemption from such requirements by the Board of License Commissioners for Queen Anne's County.

## **POPULATION AND NUMERICAL LIMITATIONS PURSUANT TO ALC. BEV. § 4-202(d)**

### **PROPOSED RULE 2.54**

#### **PROPOSAL NO. 1**

As a Rule, for alcohol licensing, divide the County by the four(4) Commissioners Election Districts, which are divided proportionally by population, as the determinate for limit, of Class A Licenses.

The limit is set at the current number, with no additional licenses issued until the population supports the addition of a new license, at a ratio of one(1) to two thousand (2,000) in population.

The population statistics shall be provided by the Department of Planning and Zoning.

Class A Licensees will have the right to apply for a transfer within their District.

Exceptions to limit:

1. New retail commercial centers, with a minimum of twelve (12) storefronts and a minimum of thirty thousand (30,000) square feet of rentable floor space.
2. A marina convenience store, located within a marina, with a minimum of fifty(50) rentable boat slips.
3. A location that is more that five (5) miles from another Class A licensed location.
4. A location within the boundaries of an incorporated town.
5. The application provides for a unique concept, not currently seen in the market, and deemed desirable by the Board.

All application for an Alcoholic Beverage License are subject to Article 4-210 of General Provisions, and the above exceptions do not provide an approval or waiver of these requirements.

#### **PROPOSAL NO. 2**

The maximum number of Alcoholic Beverage Licenses in each of the Election Districts of Queen Anne's County, Maryland, shall be limited to:

One (1) Class A License for each Two Thousand Five Hundred (2,500) actual population of each Election District, based on and as determined by the official and most current population report of each Election District as determined by the Queen Anne's County Board of Election Supervisors. No license shall be transferable from the Election District in which it was originally located.

#### **CHANGE IN CLASSIFICATION**

The change in classification of an existing On-Premise License (Class B) to a Class A License shall be subject to the same population and numerical requirements as an application for a new license. Transfers of licenses that affect only the licensee and **do not** affect a change in the licensed premises shall not be subject to population and numerical requirements.

#### **CLUB LICENSES**

Club licenses shall be excluded from the population and numerical requirements of this Rule and shall not be transferable to any other class of license.

**NOTE:**

The requirements of this Regulation are in addition to the requirements imposed by the Alcoholic Beverages Article § 4-210 of the Annotated Code of Maryland and a finding that a license application meets the numerical and population requirements contained herein shall not be sufficient alone to meet the general requirements imposed by the Alcoholic Beverage Article for the issuance of new licenses. Nothing contained herein shall prevent the renewal of currently existing licenses.