

# Work Session

<b>Agenda Item #</b>	3
<b>Meeting Date</b>	January 5, 2015
<b>Prepared By</b>	Suzanne Ludlow Deputy City Manager
<b>Approved By</b>	Brian T. Kenner City Manager

<b>Discussion Item</b>	Discussion of Legislative Items
<b>Background</b>	<p>The Maryland General Assembly convenes on January 14. In November, the Council received a briefing from the City’s Legislative Advocate, Michele Douglas, and discussed legislative priorities for the upcoming Session. At that time, the Council expressed interest in considering one or more resolutions regarding alcoholic beverage licenses available in Takoma Park. No other priorities identified at that work session by the Council would require a resolution stating the Council’s position on the matter.</p> <p>A draft resolution is attached that 1) expresses support for allowing the Class BD-BWL license to be available within Takoma Park, and 2) supports the removal of restrictions on the types of Montgomery County alcoholic beverage licenses that are available in Takoma Park.</p> <p>The 2014 Takoma Park Residents Survey included the question “What kinds of stores or services do you feel are most lacking in Takoma Park?” The top response was “Bottled wines and beers,” representing 46% of respondents, followed by “Groceries” with 45% and “Restaurants/bars” with 45%. (Respondents could select more than one of the 14 choices.)</p> <p>The Council has also heard from the Takoma Park-Silver Spring Co-op and the Republic Restaurant about their interest in selling beer and wine to carry out and, by the Republic Restaurant, about their interest in establishing a micro-brewery. Staff has also heard from other business owners about their interest in having a wider choice of alcoholic beverage license options in Takoma Park.</p> <p>The Class BD-BWL license is not yet available in Montgomery County. The Class BD-BWL license allows for beer and wine consumption on or off the premises, liquor for consumption only on the premises, and the option to operate a micro-brewery. Montgomery Delegation Local Bill MC 18-15 would allow the license to be available in Montgomery County. If approved, it would not be available in Takoma Park unless the bill were amended to specifically allow it.</p>
<b>Policy</b>	The City Council advocates for legislation in the interest of the Takoma Park community and the City of Takoma Park.
<b>Fiscal Impact</b>	n/a

<b>Attachments</b>	Draft Resolution Text, MC 18-15 Page 50 of 2014 Residents Survey
<b>Recommendation</b>	Provide direction on any changes needed to draft resolution for consideration at Meeting of January 12.
<b>Special Consideration</b>	

**Introduced By:**

**DRAFT - RESOLUTION #2015-xx**

**Resolution Supporting the Expansion of the Types of Alcoholic Beverage Licenses Available in the City of Takoma Park**

WHEREAS, the Takoma Park City Council is charged with setting policy and pursuing legislative changes in the best interests of the Takoma Park community; and

WHEREAS, few alcoholic beverages licenses are available to businesses and organizations within the boundaries of the City of Takoma Park that permit the purchase of alcoholic beverages to carry off the premises; and

WHEREAS, residents expressed their strong interest in purchasing beer and wine to carry out from businesses in Takoma Park in the 2014 Residents Survey; and

WHEREAS, some businesses and organizations are interested in being allowed to apply for Montgomery County alcoholic beverage licenses not currently available in Takoma Park; and

WHEREAS, some business owners and organization managers have expressed their interest in staying in Takoma Park and diversifying their businesses through establishment of micro-brewery operations and/or the sale of specialty beers and wines, including organic and biodynamic wines; and

WHEREAS, the Council supports the efforts of Takoma Park businesses and organizations to thrive and serve the expressed interests of Takoma Park residents; and

WHEREAS, the Council supports proposed local bill MC 18-15, allowing the availability of a Class BD-BWL License in Montgomery County, and supports an amendment to the bill that would allow the availability of the license for businesses and organizations in Takoma Park; and

WHEREAS, the Council requests State legislation to remove restrictions on the types of Montgomery County alcoholic beverage licenses available in Takoma Park; and

WHEREAS, the Council wishes to retain the availability of the Montgomery County “-TP” alcoholic beverage licenses that were created for businesses and organizations that sold alcoholic beverages under Prince George’s County alcoholic beverage licenses before the County line was moved in 1997.

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the City of Takoma Park supports Montgomery County Delegation bill MC 18-15, Montgomery County – Alcoholic Beverage – Class BD-BWL License and urges that the bill be amended to allow the availability of the license to businesses and organizations in Takoma Park.

BE IT FURTHER RESOLVED THAT the Council of the City of Takoma Park supports legislation to remove restrictions on the types of Montgomery County alcoholic beverage licenses available to businesses and organizations in Takoma Park while retaining the existing “-TP” alcoholic beverage licenses.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

Drafted by: Lantner  
Typed by: Don  
Stored – 10/30/14  
Proofread by \_\_\_\_\_  
Checked by \_\_\_\_\_

By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Alcoholic Beverages – Class BD–BWL License**

3 **MC 18–15**

4 FOR the purpose of establishing a Class BD–BWL alcoholic beverages license in  
5 Montgomery County; providing that the license authorizes the sale of beer and wine  
6 for consumption on or off the licensed premises and the sale of liquor for consumption  
7 only on the licensed premises; authorizing a holder of a Class BD–BWL license to  
8 hold a certain other license; authorizing a license holder to hold not more than a  
9 certain number of Class BD–BWL licenses; specifying the hours of sale; setting an  
10 annual license fee; and generally relating to Class BD–BWL licenses in Montgomery  
11 County.

12 BY repealing and reenacting, without amendments,  
13 Article 2B – Alcoholic Beverages  
14 Section 6–201(q)(1)(i)  
15 Annotated Code of Maryland  
16 (2011 Replacement Volume and 2014 Supplement)

17 BY adding to  
18 Article 2B – Alcoholic Beverages  
19 Section 6–201(q)(7)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2011 Replacement Volume and 2014 Supplement)

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

5 **Article 2B – Alcoholic Beverages**

6 6–201.

7 (q) (1) (i) This subsection applies only in Montgomery County.

8 **(7) (I) THERE IS A CLASS BD–BWL LICENSE.**

9 **(II) A CLASS BD–BWL LICENSE AUTHORIZES THE HOLDER TO**  
10 **SELL:**

11 **1. BEER AND WINE FOR CONSUMPTION ON OR OFF THE**  
12 **LICENSED PREMISES; AND**

13 **2. LIQUOR FOR CONSUMPTION ONLY ON THE LICENSED**  
14 **PREMISES.**

15 **(III) A HOLDER OF A CLASS BD–BWL LICENSE MAY ALSO HOLD**  
16 **A CLASS 7 MICRO–BREWERY LICENSE ISSUED FOR A LOCATION IN THE COUNTY.**

17 **(IV) A LICENSE HOLDER MAY NOT HOLD MORE THAN 10 CLASS**  
18 **BD–BWL LICENSES.**

19 **(V) ON ANY DAY OF THE WEEK, THE HOURS OF SALE ARE:**

20 **1. FOR CONSUMPTION ON THE LICENSED PREMISES,**  
21 **FROM 10 A.M. TO 2 A.M. THE FOLLOWING DAY; AND**

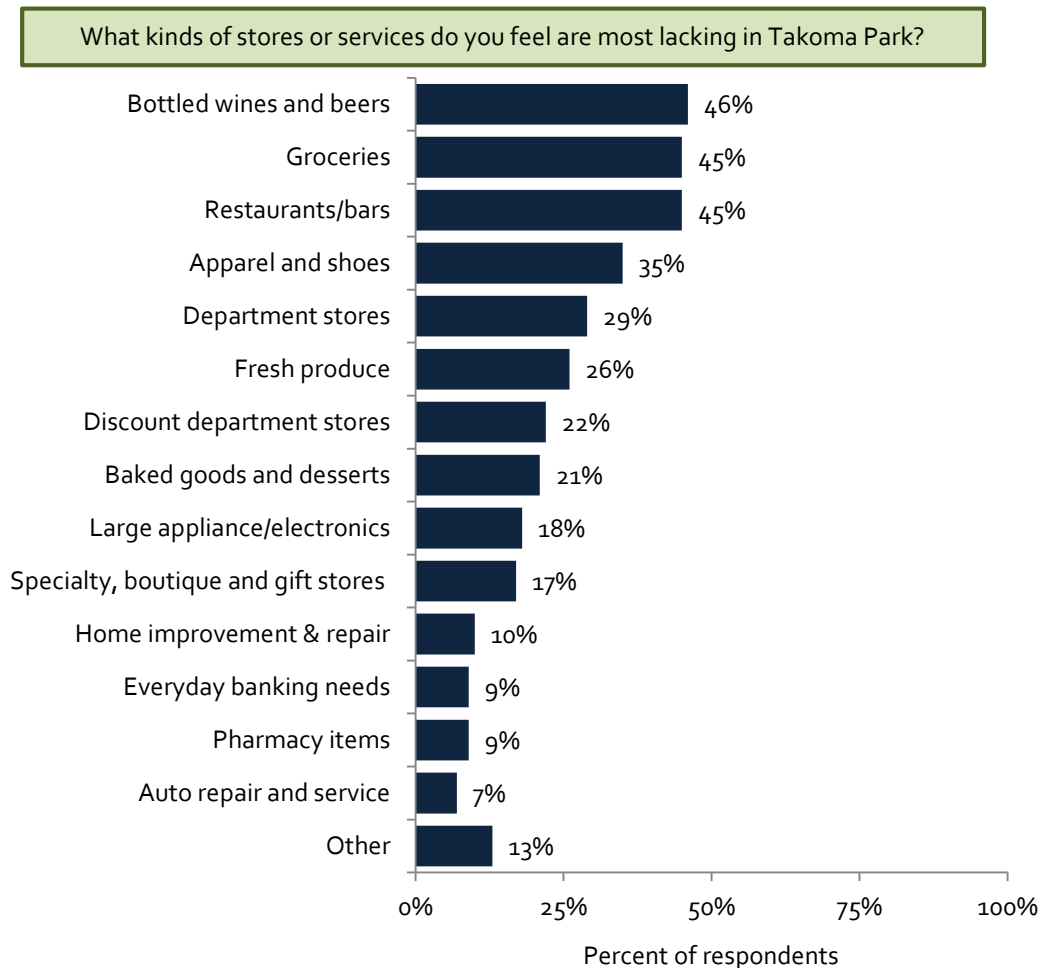
22 **2. FOR CONSUMPTION OFF THE LICENSED PREMISES,**  
23 **FROM 6 A.M. TO 1 A.M. THE FOLLOWING DAY.**

1 (VI) THE ANNUAL FEE FOR A CLASS BD-BWL LICENSE IS  
2 **\$3,500.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2015.

Those completing the questionnaire were asked to indicate what kinds of stores or services they felt were most lacking in Takoma Park. The most frequently mentioned type of store was for bottled wine and beers (46%) followed closely by groceries (45%) and restaurants and bars (45%). Apparel and shoe stores, department stores, fresh produce, discount department stores and baked goods and desserts were the other most commonly cited kinds of stores. For the remaining listed types of stores and services fewer than 20% of survey respondents said they were lacking in the city. Those that selected “other” had the opportunity to write-in an unlisted type of store or service they felt was lacking in Takoma Park; these “other” responses can be found in *Appendix C: Verbatim Responses to Survey Questions*.

**Figure 35: Services Most Lacking in Takoma Park**



Total may exceed 100% as respondents could select more than one answer.