

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2025 Legislative Session, Legislative Day No.: November 4, 2025

Bill No.: 1623

Expiration Date: January 8, 2026

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) FOR THE PURPOSES OF PERMITTING ON-PREMISES CONSUMPTION OF BEER, WINE, AND LIQUOR AT ALCOHOL DISPENSARY BISTROS, EXPANDING THE SEATING CAPACITY FOR ALCOHOL DISPENSARY BISTROS, EXEMPTING CLASS I LICENSES ISSUED FOR AN URBAN LOCATION FROM THE MARKET TEST SET FORTH IN § 11-8(D)(2) IF THE MUNICIPALITY IN WHICH THE URBAN LOCATION IS LOCATED DOES NOT HAVE AN EXISTING ALCOHOL DISPENSARY BISTRO HOLDING A VALID CLASS I LICENSE, AND EXEMPTING OXFORD CONSERVATION PARK FROM THE 500-FOOT DISTANCE RESTRICTION FOR NEW OFF-SALE LICENSES

By the Council: November 4, 2025

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, December 9, 2025, at 5:30 p.m. at the Bradley Meeting Room, Talbot County Courthouse, South Wing, 11 North Washington Street, Easton, Maryland 21601.

By Order:

Susan W. Moran

Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 11 OF THE TALBOT COUNTY CODE (ALCOHOLIC BEVERAGES) FOR THE PURPOSES OF PERMITTING ON-PREMISES CONSUMPTION OF BEER, WINE, AND LIQUOR AT ALCOHOL DISPENSARY BISTROS, EXPANDING THE SEATING CAPACITY FOR ALCOHOL DISPENSARY BISTROS, EXEMPTING CLASS I LICENSES ISSUED FOR AN URBAN LOCATION FROM THE MARKET TEST SET FORTH IN § 11-8(D)(2) IF THE MUNICIPALITY IN WHICH THE URBAN LOCATION IS LOCATED DOES NOT HAVE AN EXISTING ALCOHOL DISPENSARY BISTRO HOLDING A VALID CLASS I LICENSE, AND EXEMPTING OXFORD CONSERVATION PARK FROM THE 500-FOOT DISTANCE RESTRICTION FOR NEW OFF-SALE LICENSES

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

Underlining.....Added to law by Bill

~~Strikethrough~~.....Deleted from law by Bill

* * *Existing law unaffected

* * *

§ 11-1.1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

* * *

ALCOHOL DISPENSARY BISTRO — A commercial enterprise and limited food service facility licensed or seeking a license to engage in both the sale of packaged alcoholic beverages for consumption off premises and ~~craft beer and wine~~ beer, wine, and liquor for consumption on premises at the same location with light food service and seating for no more than ~~40~~64 people. An alcohol dispensary bistro shall not include pharmacies, chain or franchise supermarkets, and establishments that sell, or are affiliated with the sale of, gasoline and other petroleum-based products to motorists.

* * *

§ 11-5. Beer, wine and liquor licenses.

* * *

H. Beer, wine and liquor license, Class I (on- and off-sale), alcohol dispensary bistros.

- (1) General provisions. A Class I beer, wine and liquor license shall be issued only to an alcohol dispensary bistro and shall authorize the holder thereof to keep and sell alcoholic beverages at the place described in the license, for consumption on- and off-premises as provided herein:
 - (a) On-sale. The holder of a Class I license shall be authorized to keep for sale and sell ~~craft beer and wine~~ beer, wine, and liquor at retail for consumption on premises. ~~Alcoholic~~ Packaged alcoholic beverages other than craft beer and wine shall not be sold or served for consumption on-premises.
 - (b) Off-sale. The holder of a Class I license shall be authorized to keep for sale and sell, at retail, beer, wine, and liquor in a sealed package or container for consumption off premises, which package or container shall not be opened nor its contents consumed on the premises where sold, except for craft beer and wine, which may be sold or served by the license holder for consumption on premises in accordance with § 11-5H(1)(a), above.
- (2) Food service. The holder of a Class I license shall offer food to patrons consisting of hors d'oeuvres, appetizers, small savory dishes, such as cheeses, breads, and cured meats, cold sandwiches, and desserts, which shall be available at all times ~~craft beer and wine~~ beer, wine, and liquor is sold or served for consumption on-premises.
- (3) Bistro area. In this section, "bistro area" means the area of the licensed premises dedicated to the sale or service of ~~craft beer and wine~~ beer, wine, and liquor for consumption on premises. "Bistro area" includes, without limitation, seating areas, service areas, and kitchen and food preparation areas. The bistro area shall be specifically designated and clearly marked on a plan to be reviewed and approved by the Board. On-premises consumption of ~~craft beer and wine~~ beer, wine, and liquor and food service may only occur in the bistro area. Nothing in this section shall preclude the license holder from placing racks or displays containing sealed packages or containers of alcoholic beverages in the bistro area; ~~provided, however, that liquor and beer no such alcoholic beverages other than craft beer and wine shall not be consumed in the bistro area.~~
- (4) Wine and beer tasting. Notwithstanding other provisions of this section or this chapter to the contrary, the holder of a Class I license shall be authorized to serve not more than one ounce from no more than three bottles or containers of wine or beer to any one person for sampling or tasting purposes. Once opened, any bottles or containers of wine or beer to be sampled shall be accurately and specifically marked for sampling or tasting purposes only or shall be discarded and shall not be offered for sale. The contents of any bottle or container

opened for sampling or tasting purposes shall not be mixed with any other bottle or container. Any wine or beer sampling or tasting authorized by this section shall be permitted on the licensed premises only.

* * *

§ 11-8. General provisions on issue of licenses.

* * *

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

- (1) New off-sale licenses shall be issued only to alcohol dispensaries, alcohol dispensary bistros, supermarkets, restaurants, cafes, hotels, and convenience stores.
 - (a) Notwithstanding the limitation in Subsection D(1) on issuance of new off-sale licenses, any holder of an off-sale license, except for any pharmacy, that was lawfully issued and validly existing on the effective date of this chapter shall be entitled to renew the same at the existing location, provided that all such applications for renewal otherwise comply with all then-existing ordinances, laws, and regulations, as amended from time to time. Pharmacies shall be governed by the provisions in § 11-5A(4) and (5).
 - (b) Notwithstanding the limitation in Subsection D(1) on issuance of new off-sale licenses, a gas station for which a Class A off-sale beer and light wine license had been issued, but which is no longer in full force and effect on the effective date of this chapter due to voluntary nonrenewal, may reapply for a new Class A license for the same location at any time within one year after the effective date of this chapter.
- (2) Subject to the exceptions set forth in Subsection 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.
 - (a) The Board may issue a new off-sale license if the total population within the service area equals or exceeds 750 persons for all existing off-sale licenses and the newly proposed license.
 - (b) The service area shall be determined as follows:
 - [1] For a proposed urban location, the service area shall include all census blocks within a radius of two miles from the site of the proposed new license.
 - [2] For a proposed rural location, the service area shall include all census blocks within a radius of five miles from the site of the proposed new license.

- (3) All census blocks in Talbot County from the most recent decennial census within, intersected by, or touching the service area shall be used to determine the total population within the service area.
- (4) For purposes of this section, an “urban location” is a proposed site within a municipality and a “rural location” is a proposed site outside a municipality.

(5) The formula for determining whether a new off-sale license may be issued is:

$$R = P - (750 \times N)$$

Where:

R = Remainder (must be equal to or greater than 750 for new off-sale license).

P = Total population within service area.

N = Total number of existing off-sale licenses, (Classes A, B-R, D, E, and F) within the service area, excluding the proposed new off-sale license and excluding existing Class A licenses for supermarkets.

(6) The requirements set forth in Subsection 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 license 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, or Class I licenses issued for an urban location if the municipality in which the urban location is located does not have an existing alcohol dispensary bistro holding a valid Class I license.

(7) New off-sale licenses shall be at least 500 feet from public or private schools, public parks, except for Thompson Park at the intersection of Washington Street and Dover Street in the Town of Easton, Oxford Conservation Park located at the intersection of Boone Creek Road and Oxford Road in the Town of Oxford, and correctional facilities. Licensees holding off-sale licenses lawfully issued and validly existing on the effective date of this chapter 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.

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

* * *

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. _____ having been published, a public hearing was held on Tuesday, _____, 2025, at _____ 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: _____, 20__

By Order _____
Susan W. Moran, Secretary

Callahan -

Stepp -

Lesher -

Mielke -

Haythe -

EFFECTIVE DATE: _____, 20__