

1 **..Title**

2 **Allowing Cigar Lounges to Serve Alcoholic Beverages** - For the purpose of creating a  
3 definition of Cigar Lounge as a unique category of Tobacco Shop; and allowing cigar lounges to  
4 serve alcoholic beverages in conjunction with the consumption of premium cigars, pipe tobacco,  
5 and related products; and generally related to tobacco shops.

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7 **..Body**

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**CITY COUNCIL OF THE**

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**City of Annapolis**

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**Ordinance 10-23**

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**Introduced by: Alderwoman Tierney**

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**Co-sponsored by: Mayor Buckley, Aids. Schandelmeier, Finlayson**

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**Referred to:**

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Planning Commission

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Economic Matters Committee

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Rules and City Government Committee

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20

**AN ORDINANCE** concerning

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**Allowing Cigar Lounges to Serve Alcoholic Beverages**

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**FOR** the purpose of creating a definition of Cigar Lounge as a unique category of Tobacco  
25 Shop; and allowing cigar lounges to serve alcoholic beverages in conjunction with the  
26 consumption of premium cigars, pipe tobacco, and related products; and generally related  
27 to tobacco shops.

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**BY** repealing and reenacting with amendments the following portions of the Code of the City  
30 of Annapolis, 2023 Edition

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7.12.010

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7.12.250

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21.64.150

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21.72.010

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**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**

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**COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

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**Title 7 - BUSINESS LICENSES, TAXES AND REGULATIONS**

40

**Chapter 7.12 - Alcoholic Beverages**

41

**Section 7.12.010 - Definitions.**

**Explanation:**

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining & black indicate copyediting or reformatting of existing law

Underlining & red indicate new matter added to code.

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2 For the purposes of this chapter, the following words and phrases have the meanings  
3 indicated:

- 4 A. "Alcoholic beverage" means alcohol, brandy, whiskey, rum, gin, beer, ale, porter,  
5 stout, wine and cider, and in addition, any spirituous, vinous, malt or fermented liquor,  
6 liquids and compounds, by whatever name called, containing one-half of one percent  
7 or more of alcohol by volume, which are fit for beverage purposes. "Alcoholic  
8 beverage" does not include (1) wine and cider manufactured for home consumption  
9 and which are not sold for the maker or manufacturer, nor by the maker or  
10 manufacturer; and (2) alcohol used exclusively for the manufacture of medicinal,  
11 antiseptic or toilet preparations, flavoring extracts and other preparations unfit for  
12 beverages.
- 13 B. "Cigar lounge" means an area or areas within a tobacco shop that primarily sells  
14 Premium Cigars and Pipe Tobacco, as defined in Maryland Business Regulation Code  
15 Annotated § 16.5-101, and other related products, where customers of the tobacco shop  
16 may use the products sold by the tobacco shop and where a bar or tavern use for the  
17 sale of alcohol by the tobacco shop may be permitted as accessory to the primary  
18 activities of the tobacco shop, notwithstanding requirements for bars or taverns as a  
19 primary use.
- 20 ~~BC.~~ "Club" means an association or corporation which is organized and operated  
21 exclusively for education, social, fraternal, charitable, civic, political, patriotic or  
22 athletic purposes, and not for profit.
- 23 ~~CD.~~ "Hotel" means any establishment for the accommodation of the public equipped with  
24 not less than twenty bedrooms, containing not less than one bed in each room, with  
25 sufficient covering for each bed, and one room with toilet and bathing facilities for  
26 each seven bedrooms, and containing a restaurant as defined by this section.
- 27 ~~DE.~~ "Refillable container" means a jug or other vessel used to transport draft beer.
- 28 ~~EF.~~ "Restaurant" means any lunchroom, café or other establishment located in a permanent  
29 building with ample space and accommodations in which hot meals habitually are  
30 prepared, sold and served to the public during the hours it is open regularly for  
31 business. It shall be equipped with a public dining room with sufficient tables, chairs,  
32 cutlery and glassware to serve the meals prepared, and with a kitchen having complete  
33 facilities and utensils for preparing and serving hot and cold meals to the public. Each  
34 restaurant shall maintain a menu or card advertising the serving of a variety of hot  
35 meals. There shall be maintained on the premises at all times sufficient food to fill  
36 orders made from the menus. No drugstore or grocery store shall be construed to be a  
37 restaurant.
- 38 ~~FG.~~ "Tavern" means any properly licensed premises used and operated primarily for the  
39 sale of alcoholic beverages; provided, however, that nuts, pretzels, potato chips,  
40 sausages, sandwiches, salads and other foodstuffs generally associated with taverns  
41 may be sold and consumed in taverns.

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1 ~~GH.~~ "Wine bar" means any properly licensed premises used and operated for the sale of  
 2 wine and to a lesser extent the sale of beer; provided, however, light fare generally  
 3 associated with wine bars may be sold and consumed in wine bars.

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 5 **Title 7 - BUSINESS LICENSES, TAXES AND REGULATIONS**

6 **Chapter 7.12 - Alcoholic Beverages**

7 **Section 7.12.250 - Taverns**

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 9 **7.12.250 Taverns.**

10 A. This section applies to taverns, which include tobacco shops operating a cigar lounge as  
 11 defined in § 12.010 of this Chapter.

12 B. The premises of any licensed tavern shall be closed from twelve midnight to six a.m.

13 C. Tavern-class licenses are as follows:

14 1. Class D-1: Alcoholic beverages are restricted to on sale only and sales shall be only  
 15 between the hours of six a.m. and twelve midnight, seven days a week.

16 2. Class D-1.a: In addition to the on sale of alcoholic beverages, off sale is permitted  
 17 Monday through Saturday from six a.m. to twelve midnight.

18 3. Class D-1.a.b: In addition to the on sale of alcoholic beverages and off sale of alcoholic  
 19 beverages Monday through Saturday, off sale is permitted on Sunday during  
 20 authorized hours.

21 4. Class D-1.a.b.c.: In addition to the on-sale of alcoholic beverages and off-sale of  
 22 alcoholic beverages Monday through Sunday, the License permits the on-premises  
 23 consumption of light wine for tasting or sampling purposes only. The Licensee shall  
 24 not serve more than one ounce of wine from each given brand to any one person.

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 27 **Division VI GENERAL TERMS AND RULES OF MEASUREMENT**

28 **Chapter 21.72 TERMS AND DEFINITIONS**

29 **Section 21.64.150 - Reserved**

30 **~~21.64.150 Reserved~~ - Cigar Lounges.**

31 Cigar lounges shall:

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 34 1. Be permitted by special exception subject to the requirements of this Section.  
 35 2. Exist only as accessory uses within tobacco shops that primarily sell Premium  
 36 Cigars and Pipe Tobacco, as defined in Maryland Business Regulation Code  
 37 Annotated § 16.5-101, and be operated only as an accessory to the primary  
 38 operation of a tobacco shop in which a cigar lounge is located.

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1           3. Sell alcohol only as paired with the tobacco products sold by the tobacco shop in  
2           which a cigar lounge is located and in accordance with all other applicable  
3           requirements of the City Code.

4           4. Be operated only during the hours of operation of a tobacco shop in which a cigar  
5           lounge is located and in accordance with all noise requirements of the city code.

6   **Division VI GENERAL TERMS AND RULES OF MEASUREMENT**  
7   **Chapter 21.64 - STANDARDS FOR USES SUBJECT TO STANDARDS**  
8   **Section 21.72.010 Terms.**

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10       "Car wash" means an area or structure equipped with facilities for washing automobiles.

11       "Charitable institution" means a building or group of buildings devoted to and supported  
12       by the charity.

13       "Cigar lounge" means an area or areas within a tobacco shop that primarily sells  
14       Premium Cigars and Pipe Tobacco, as defined in Maryland Business Regulation Code  
15       Annotated § 16.5-101, and related products, where customers of the tobacco shop may  
16       use the products sold by the tobacco shop and where a bar or tavern use for the sale of  
17       alcohol by the tobacco shop may be permitted as accessory to the primary activities of the  
18       tobacco shop, notwithstanding requirements for bars or taverns as a primary use.

19       "Clearing" means any activity that removes the vegetative ground cover while leaving the  
20       root mat intact.

21       "Cluster development" means a residential development in which dwelling units are  
22       concentrated in a selected area or selected areas of the development tract so as to provide  
23       natural habitat or other open space uses on the remainder.

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26   **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**  
27   **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its  
28   passage.  
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