

(2) IF THE APPLICANT PURCHASES AN EXISTING BUILDING, THE CAPITAL INVESTMENT ATTRIBUTABLE TO THE COST OF THE BUILDING AS DEFINED IN THIS SUBSECTION SHALL BE BASED ON THE FAIR MARKET VALUE OF THE STRUCTURES FOR WHICH THE COST OF THE BUILDING WAS INCURRED, DETERMINED AT THE TIME OF PURCHASE. THE CAPITAL INVESTMENT IN OTHER THAN LAND OR BUILDINGS SHALL ALSO BE EVALUATED AT THE FAIR MARKET VALUE AT THE TIME OF PURCHASE; AND

(3) IF THE PREMISES ARE LEASED, THE RENT PAID FOR THE LAND SHALL BE CONSIDERED A COST OF LAND AND ANY RENT PAID FOR A BUILDING SHALL BE CONSIDERED A COST OF A BUILDING.

[(b)] (C) There is a 7-day Class BDR (deluxe restaurant) (on-sale) beer, wine and liquor license. This license may only be issued for the use of restaurants that:

(1) Meet the definition requirements of "restaurant" established under the regulations of the board of license commissioners;

(2) Have a minimum seating capacity of 150 persons for dining;

(3) Have a cocktail lounge or bar area seating capacity not exceeding 25 percent of the seating capacity for dining;

(4) Have parking facilities to accommodate a minimum of 75 vehicles; and

(5) Have a minimum capital investment of \$750,000, exclusive of the cost of the land and buildings.

[(c)] (D) This license may not be issued for use in an establishment that is a fast food style restaurant.

[(d)] (E) The annual fee for this license is \$1,000.

[(e)] (F) (1) This license may not be transferred from the location site of its first issuance.

(2) The provisions of this subsection do not affect a transfer of holders for the same premises or a renewal of the license.

[(f)] (G) This license is exempt from all quota provisions provided FOR under [§ 47A of this article] THE RULES AND REGULATIONS OF THE BOARD OF LICENSE COMMISSIONERS.

[(g)] (H) The hours and days that a holder may exercise the privileges of sale under this license are the same as a Class B (on-sale) beer, wine and liquor license in Baltimore County.

[(h)] (I) The board of license commissioners shall adopt regulations necessary for the issuance of this license.