

this subsection if it meets the following requirements: (i) Is an establishment for the accommodation of the public providing service ordinarily found in hotels, (ii) is equipped with not fewer than twenty-five (25) rooms, a lobby with registration and wall desk, seating facilities and a dining room which serves full-course meals at least twice daily and which has a regular seating capacity at tables (not including seats at bars or counters) for fifty (50) or more persons, and (iii) is operated in a physical plant which has a valuation for purposes of State and local assessment and taxation of not less than twenty thousand dollars (\$20,000) and which has a valuation of personal property for purposes of State and local assessment and taxation of not less than three thousand dollars (\$3000) [, and (iv) has annual gross receipts from the sale of food (as otherwise provided herein) which exceeds annual gross receipts from the sale of alcoholic beverages, all as certified by an audit as is required in paragraph (4) of this subsection]. This license in a hotel does not permit sales at bars or counters, or sales for consumption anywhere except on the premises on which the meals are prepared and served. This license is not transferable.

(3) Such a license may be issued to a restaurant which meets the following requirements and conditions: (i) Serves full-course meals at least twice daily; (ii) has a regular seating capacity at tables (not including seats at bars or counters) for fifty (50) or more persons and (iii) is operated in a physical plant which has a valuation for purposes of State and local assessment and taxation of not less than twenty thousand dollars (\$20,000) and which has a valuation of personal property for purposes of State and local assessment and taxation of not less than three thousand dollars (\$3,000) [and (iv) has annual gross receipts from the sale of food (as otherwise provided herein) which exceeds annual gross receipts from the sale of alcoholic beverages, all as certified by an audit as is required in paragraph (4) of this subsection]. This license in a restaurant does not permit sales for consumption anywhere except on the premises on which meals are prepared and served, except in the case of consumption of beverages with an alcoholic content of not more than (12%) by volume. This license is not transferable.

[(4) Every licensee under this subsection shall submit annually to the license commissioner of the county an audit by a qualified accountant showing the amount of receipts from sales of food and from the sales of alcoholic beverages.]

SEC. 2. *And be it further enacted*, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 23, 1971.

CHAPTER 143

(House Bill 383)

AN ACT to repeal and re-enact, with amendments, Section 3(1) of Article 25 of the Annotated Code of Maryland (1970 Supplement),