

requirements set forth in subsection (a)(3) of this section. All of the privileges and restrictions provided for in paragraph (2) of this subsection are applicable to this special Class B license except that the gross receipts from the sale of alcoholic beverages may not exceed the gross receipts from the sale of food, and registered guests may be served in their rooms. In any instance where there is more than one licensed establishment within the hotel or motel, the foregoing sales ratio shall be applicable only to one license and that shall be the one that provides the food and beverage service to the conventions, banquets and other groups that utilize facilities within the hotel or motel.

(ii) The annual license fee is \$2,500.

(4) (i) In this paragraph, "performing arts facility" means a facility that is used for artistic, corporate, and community related activities.

(ii) There is a special Class B-BWL (performing arts facility) license.

(iii) The Board of License Commissioners may issue a special Class B-BWL (performing arts facility) license to apply only to a performing arts facility that has:

1. A minimum capital investment, not including real property, of \$1,000,000;
2. A minimum capacity of 2,000 persons; and
3. A food service facility permit and 40 seats in a food service area.

(iv) The Board may issue a special Class B-BWL (performing arts facility) license for use by a not-for-profit partnership, limited liability company, corporation, or other entity that leases the performing arts facility to host artistic, corporate, and community related activities.

(v) 1. A special Class B-BWL (performing arts facility) license authorizes the holder to sell beer, wine, and liquor by the drink from one or more outlets on the licensed premises for consumption on the licensed premises.

2. A holder of a special Class B-BWL (performing arts facility) license may only exercise the privileges under the license from 10:00 a.m. or any day until 2:00 a.m. the following day.

3. A holder of a special Class B-BWL (performing arts facility) license may not sell alcoholic beverages at:

- A. A high school graduation held on the licensed premises; or
- B. A community meeting held, without food service, on the licensed premises.