

Article 2B - Alcoholic Beverages

19.

(a) A Class B beer, wine and liquor license shall be issued by the clerk of the circuit court of the county in which the place of business is located, and the license authorizes its holder to keep for sale and sell all alcoholic beverages at retail at any hotel or restaurant at the place described, for consumption on the premises or elsewhere, or as provided in the following subsections. The annual fee for this license is \$750, except as provided, and is payable to the clerk, before any license is issued, for distribution as provided in this article.

(x) (1) In Wicomico County the annual fee for this license is \$1,000 for a restaurant and \$1,500 for a hotel.

(2) This license may be issued in Wicomico County to a bona fide hotel which (i) is an establishment for the accommodation of the public providing services ordinarily found in hotels, (ii) is equipped with not fewer than 25 rooms, a lobby with registration and mail desk and seating facilities and a dining room which serves full-course meals at least twice daily. This license in a hotel does not permit sales for consumption off the premises.

(3) This license may be issued in Wicomico County to a restaurant which is a business establishment for the accommodation of the public, fully equipped with a proper and adequate dining room with facilities for preparing and serving regular meals and which has a regular seating capacity at tables (not including seats at bars or counters) for 75 or more persons seated comfortably and adequately, allowing 15 square feet per person, wherein the average daily receipts from the sale of foods for each month exceeds the average daily receipts from the sale of alcoholic beverages. In calculating average daily receipts from the sale of foods, no allocation of food stuff contained in any mixed drink may be included in average daily receipts from the sale of food. The seating and square foot requirements contained herein shall not affect present Class B beer, wine and liquor licensees. This license requires the sale of alcoholic beverages for consumption only on the inside of the restaurant premises.

(4) (i) Except for the purchase of beer and light wine, the holder shall purchase all of the alcoholic beverages that are sold for consumption on the premises from the county dispensary.

(ii) The county dispensary may not charge the holder more than 15 percent above the wholesale operation cost to the dispensary for each item that the holder purchases.