

(o) "Hotel" means an establishment for the accommodation of the public, equipped with not less than ten bedrooms and a dining room with facilities for preparing and serving regular meals, wherein the average daily receipts from the hire of rooms and the sale of foods exceed the average daily receipts from the sale of alcoholic beverages; provided that the board of license commissioners, in any county having such a board or in Baltimore City, and the mayor, counselor and aldermen of the City of Annapolis, may by rule or regulation prescribe a different standard as to what shall constitute a hotel. [Provided further, that in the City of Cumberland "hotel" means such an establishment as described in this subsection and having not fewer than twenty bedrooms.] The requirements of this section relating to average daily receipts are not applicable to any licenses issued in Cecil County.

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.

(b) [This section does not apply to Allegany County.]

(1) IN ALLEGANY COUNTY, THE BOARD OF LICENSE COMMISSIONERS MAY ISSUE CLASS B BEER, WINE AND LIQUOR (ON-SALE) LICENSES.

(2) THIS LICENSE SHALL BE ISSUED FOR THE EXCLUSIVE USE ON THE PREMISES OF A RESTAURANT THAT IS LOCATED WITHIN A HOTEL OR MOTEL ESTABLISHMENT.

(3) IN ADDITION TO OTHER COUNTY REQUIREMENTS PROVIDED FOR IN THIS ARTICLE:

(I) THE HOTEL OR MOTEL SHALL BE AN ESTABLISHMENT HAVING AT LEAST 100 BEDROOMS FOR PUBLIC ACCOMMODATION; AND

(II) THE RESTAURANT SHALL BE AN ESTABLISHMENT:

1. LOCATED IN A PERMANENT BUILDING WITH AMPLE SPACE AND ACCOMMODATIONS FOR PREPARING, SERVING, AND SELLING MEALS TO THE PUBLIC DURING BUSINESS HOURS;

2. THAT 60 PERCENT OF ITS GROSS MONTHLY REVENUE IS DERIVED FROM THE SALE OF FOOD;