

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.

[(m) (1) In Garrett County the annual fee for this license is \$1,500. The issuing fee for a new license, in addition to the annual fee, is \$1,500.]

(2) This license may be issued in Garrett County to a bona fide hotel or motel which (i) is an establishment for the accommodation of the public, providing services ordinarily found in hotels or motels, (ii) is equipped with no fewer than 25 rooms, a lobby with a registration and mail desk and seating facilities.

(3) This license may be issued in Garrett County to a restaurant which meets the following requirements and conditions: (i) has a regular seating capacity of tables, not including seats at bars or counters, for 20 or more persons; (ii) has been in full-time operation as a restaurant for not less than two years immediately preceding the time the application is made for license; (iii) has an applicant for the license who has, or applicants who have, been a bona fide resident or residents of Garrett County for not less than five years immediately preceding the filing of the application, and who has or have been a registered voter or voters of Garrett County for not less than one year immediately preceding the filing of the application. This license in a restaurant does not permit sale at bars or counters nor for consumption anywhere except inside the building in which the meals are prepared and served, except that the license will authorize the licensee to sell for consumption off the premises brewed beverages as defined in this article. A license may be issued for any premises under construction and otherwise meeting the requirements of this section to be effective 90 days after completion of the construction.

(4) It is the duty of the Garrett County liquor control board before issuing any license to determine whether the business to be operated by the prospective licensee is likely to enhance the recreational, business and economic development of the county. If the liquor control board in its discretion determines that issuance of the license will not enhance the development within the county, it shall reject the application for the license.]