

~~[(2)](3)~~ (i) Except IN MONTGOMERY COUNTY OR in the case of a contrary provision in ~~[any other section or subsection of]~~ this subtitle, this license shall be issued ~~[by the clerk upon the advice and]~~, ON approval of the APPLICATION BY THE board of license commissioners in any county ~~[, except Montgomery County,]~~ in which a license may be issued for the sale of beer, wine and liquor; to the owner of any hotel which meets the following minimum provisions:

1. The hotel building shall be originally constructed for hotel purposes; be at least three stories in height; and contain at least one passenger elevator.

2. The hotel shall contain no less than 100 rooms for the accommodation of the public.

3. The hotel shall contain a dining room with facilities for preparing and serving regular meals for at least 125 persons at one seating.

4. The capital investment in the hotel facility may not be less than \$500,000.

(ii) The annual fee for this license is \$2,000.

(l) (1) (ii) Any hotel meeting the minimum requirements of ~~[\$=19(a)(2)]~~ SUBSECTION (A)(3) OF THIS SECTION may elect to be issued a license under that subsection, or any bona fide hotel may elect to be issued a license under this subsection if it:

1. Is an establishment for the accommodation of the public providing service ordinarily found in hotels,

2. Is equipped with not fewer than 25 rooms, a lobby with registration and mail 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 50 or more persons; and

3. Is operated in a physical plant which has a valuation for purposes of State and local assessment and taxation of not less than \$20,000 and which has a valuation of personal property for purposes of State and local assessment and taxation of not less than \$3,000. 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.

(2) (i) Any bona fide hotel or motel in Frederick County may obtain a special Class B (on-sale) beer, wine and liquor license issued by the ~~[Clerk of the Court]~~ BOARD OF LICENSE COMMISSIONERS of Frederick County providing:

1. It is an establishment for the accommodation of the public providing services ordinarily found in bona fide hotels and motels;

2. It contains no less than 15 rooms;

3. It contains a dining room with facilities for preparing and serving full-course meals for at least 50 persons at one seating; and