

issued in or transferred into the 43rd alcoholic beverages district or the 39th alcoholic beverages district for use in conjunction with a retail seafood facility that is a permanent bona fide raw bar.

(3) If a license issued under this subsection is issued in or transferred into the 43rd alcoholic beverages district or the 39th alcoholic beverages district, the license may not be transferred to any other location.

(e) (1) Except as provided in paragraph (2) of this subsection, a license for the sale of alcoholic beverages may not be transferred into, or transferred to a different location within the following areas of the 46th legislative district:

- (i) Ward 1, precincts 2, 3, 4, and 5;
- (ii) Ward 2 in its entirety;
- (iii) Ward 3, precinct 3; and
- (iv) Ward 26, precinct 10.

(2) This subsection does not apply to an application for a new license or a transfer from within the areas described in paragraph (1) of this subsection if the new license or transfer is for:

- (i) A hotel;
- (ii) An establishment located in a planned unit development if the application for the planned unit development was filed or approved before December 31, 1995;
- (iii) An establishment located in an area governed by the Inner Harbor East Urban Renewal Plan; or
- (iv) An establishment:
 - 1. That has a seating capacity of less than 150 persons at any one time; or
 - 2. In which the average daily receipts from the sale of food is at least 51% of the total daily receipts of the establishment.

(f) (1) Except as provided in paragraph (2) of this subsection, a license of any class for the sale of alcoholic beverages may not be transferred into, or transferred to a different location within, the 3rd and 4th precincts of the 16th ward of the 39th alcoholic beverages district located in Baltimore City.

(2) This subsection does not apply to:

- (i) Class C licenses;
- (ii) Class B (on-sale) hotel and restaurant licenses;
- (iii) Class A (off-sale) licenses;
- (iv) A licensed premises, if the land on which the licensed premises exists is taken by right of eminent domain; or