

4. A license may not be issued for use in an establishment that is a fast food style restaurant.

(IX) THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY MAY ISSUE A CLASS B BEER, WINE AND LIQUOR LICENSE FOR USE IN A RESTAURANT THAT HAS A SEATING CAPACITY EXCEEDING 150 PERSONS IF THE RESTAURANT:

1. IS LOCATED IN WARD 26, PRECINCT 8 OF THE 46TH ALCOHOLIC BEVERAGES DISTRICT, WHICH AT ALL TIMES SHALL BE COTERMINOUS WITH THE 46TH LEGISLATIVE DISTRICT IN THE LEGISLATIVE DISTRICTING PLAN OF 2002 AS ORDERED BY THE MARYLAND COURT OF APPEALS ON JUNE 21, 2002;

2. HAS A MINIMUM CAPITAL INVESTMENT OF \$700,000; AND

3. HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS.

(X) UNTIL JULY 1, 2005, THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY MAY ISSUE A CLASS B BEER, WINE AND LIQUOR LICENSE FOR USE IN A RESTAURANT THAT HAS A SEATING CAPACITY EXCEEDING 150 PERSONS IF THE RESTAURANT:

1. IS AN ESTABLISHMENT LOCATED IN AN AREA IDENTIFIED IN § 9-204(E)(1) OF THIS ARTICLE;

2. HAS A MINIMUM CAPITAL INVESTMENT OF \$1,000,000; AND

3. HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 70% OF THE TOTAL DAILY RECEIPTS.

(X) (XI) NOTWITHSTANDING ANY RESTRICTION OR REQUIREMENT IN THIS ARTICLE REGARDING THE ISSUANCE OF CLASS B BEER, WINE AND LIQUOR LICENSES, A NOT FOR PROFIT ARTS CENTER IN THE HIGHLANDTOWN ARTS AND ENTERTAINMENT DISTRICT THAT HOLDS A CLASS C LICENSE ON JUNE 1, 2004, MAY APPLY TO THE BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY TO CONVERT THAT LICENSE ON OR BEFORE MAY 31, 2005, INTO A CLASS B BEER, WINE AND LIQUOR LICENSE.

9-204.1.

(a) New licenses for the sale of alcoholic beverages may not be issued in:

(4) The 46th alcoholic beverages district of Baltimore City consisting of:

Baltimore City wards 1 and 2;

Ward 3, precinct 3 and part of precinct 1;

Ward 6, precincts 1, 6, and 7;

Ward 7, precincts 8 and 9; and

Ward 26, precincts 1 through 33 and 47 through 51.