

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.

[(aa)] (2) (I) Except 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 approval of 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)]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)]2. The hotel shall contain no less than 100 rooms for the accommodation of the public.

[(3)]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)]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.

(b) (1) [In] THE PROVISIONS OF THIS SUBSECTION APPLY ONLY IN Allegany County[, the].

(2) THE Board of License Commissioners may issue Class B beer, wine and liquor (on-sale) licenses.

[(2)](3) 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)](4) 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;

3. That has waiter or waitress service to its customers who are seated at tables for dining; and