

(ii) To qualify for a Class BLX on-sale license the restaurant shall have:

1. A minimum capital investment of \$1,000,000 for dining room facilities and kitchen equipment, which sum may not include the cost of land, buildings, or a lease; and

2. A minimum seating capacity of 100 persons.

(iii) The holder of a CLASS BLX license:

1. Is authorized to sell alcoholic beverages for consumption on the licensed premises only;

2. May not sell alcoholic beverages for off-premises consumption; and

3. May serve alcoholic beverages:

A. Monday through Saturday during the hours and days authorized under a Class B beer, wine and liquor license; and

B. On Sunday as provided under § 95B without paying an additional fee.

(iv) The annual fee for a CLASS BLX license is \$2,500.

(j) (1) In Charles County, the annual license fee is \$300.

(2) This license shall provide for the consumption of beer, wine and liquor on the premises only.

(3) (I) In Charles County, there is in addition to the classes provided for, a special Class B license known as a Class BLX, which is issued only to luxury-type restaurants.

[(i)](II) The CLASS BLX license shall be applied for in the same manner as are other classes of licenses.

[(ii)](III) The license fee [shall be] IS \$2,000.

[(iii)](IV) A luxury-type restaurant shall be defined by the Board of Liquor License Commissioners for Charles County.

[(iv)](V) The restaurant may not have:

1. Less than a minimum capital investment of \$400,000 for the dining room facilities and kitchen equipment, not including the cost of land, buildings, or leases; and

2. A seating capacity of less than 150 persons.