

~~(3) (H) NOTWITHSTANDING ANY REGULATION OF THE BOARD, A CLASS B BEER AND WINE LICENSE MAY BE ISSUED IN OR TRANSFERRED INTO THE 43RD ALCOHOLIC BEVERAGES DISTRICT OR THE 44TH ALCOHOLIC BEVERAGES DISTRICT FOR USE IN CONJUNCTION WITH A RETAIL SEAFOOD FACILITY THAT IS A PERMANENT, BONA FIDE RAW BAR.~~

~~(H) IF A LICENSE ISSUED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS ISSUED IN OR TRANSFERRED INTO THE 43RD ALCOHOLIC BEVERAGES DISTRICT OR THE 44TH ALCOHOLIC BEVERAGES DISTRICT, THE LICENSE MAY NOT BE TRANSFERRED TO ANY OTHER LOCATION.~~

(F) (1) THIS SUBSECTION APPLIES ONLY IN THE 46TH ALCOHOLIC BEVERAGES DISTRICT.

(2) NOTWITHSTANDING § 6-201(D)(1)(VII) OF THIS ARTICLE, THE BOARD MAY ISSUE A CLASS B BEER, WINE AND LIQUOR LICENSE:

(I) FOR A RESTAURANT IN WARD 26, PRECINCT 8, IF THE RESTAURANT HAS A MINIMUM CAPITAL INVESTMENT OF \$700,000, A SEATING CAPACITY EXCEEDING 150 PERSONS, AND AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT;

(II) FOR A RESTAURANT IN WARD 4, PRECINCT 1 OR WARD 22, PRECINCT 1, IF THE RESTAURANT HAS A MINIMUM CAPITAL INVESTMENT OF ~~\$750,000~~ \$700,000, A SEATING CAPACITY THAT EXCEEDS ~~70~~ 75 PERSONS, AVERAGE DAILY RECEIPTS FOR THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT, AND NO SALES FOR OFF-PREMISES CONSUMPTION; AND

(III) FOR NOT MORE THAN THREE RESTAURANTS IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR SILO POINT AS APPROVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY IN ORDINANCE 04-697 ON JUNE 23, 2004, IF THE RESTAURANT HAS A MINIMUM CAPITAL INVESTMENT OF ~~\$600,000~~ \$700,000, A SEATING CAPACITY THAT EXCEEDS ~~70~~ 75 PERSONS, AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT ARE AT LEAST 65% OF THE TOTAL DAILY RECEIPTS OF THE RESTAURANT, AND NO SALES FOR OFF-PREMISES CONSUMPTION.

(3) THE BOARD MAY NOT ISSUE AN ALCOHOLIC BEVERAGES LICENSE OR TRANSFER A LICENSE INTO WARD 1, PRECINCTS 4 AND 5, WARD 23, PRECINCT 1, OR WARD 24, PRECINCT 5.