

(II) THIS PARAGRAPH DOES NOT APPLY TO AN APPLICATION FOR A NEW LICENSE OR A TRANSFER FROM WITHIN THE AREAS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IF THE NEW LICENSE OR TRANSFER IS FOR:

1. A HOTEL;

2. AN ESTABLISHMENT LOCATED IN A PLANNED UNIT DEVELOPMENT IF THE APPLICATION FOR THE PLANNED UNIT DEVELOPMENT WAS FILED OR APPROVED BEFORE DECEMBER 31, 1995;

3. AN ESTABLISHMENT LOCATED IN AN AREA GOVERNED BY THE INNER HARBOR EAST URBAN RENEWAL PLAN; OR

4. AN ESTABLISHMENT THAT HAS A SEATING CAPACITY OF FEWER THAN 150 PERSONS OR IN WHICH THE AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD ARE AT LEAST 51% OF THE TOTAL DAILY RECEIPTS OF THE ESTABLISHMENT.

~~(G) (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 44TH ALCOHOLIC BEVERAGES DISTRICT.~~

~~(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; AND~~

~~(V) A HOLDER OF ANY CLASS OF LICENSE WHOSE LICENSED PREMISES ARE DESTROYED BY AN ACT OF GOD IF:~~

~~1. THE PREMISES ARE DECLARED BY THE BOARD TO BE UNUSABLE FOR PURPOSES OF THE LICENSE; AND~~