

(II) SHALL BE CONSIDERED A REGULAR LICENSE AND NOT AN EXCEPTION LICENSE FOR PURPOSES OF DETERMINING THE TOTAL NUMBER OF LICENSES AVAILABLE IN ANY ELECTION DISTRICT BASED ON THE RULE OF THE BOARD OF LICENSE COMMISSIONERS THAT LIMITS THE TOTAL NUMBER OF LICENSES AVAILABLE BY POPULATION;

(III) SHALL BE CONVERTED INTO A CLASS B (OMTC) LICENSE; AND

(IV) AS OF THE DATE OF TRANSFER, MAY NOT BE CONSIDERED TO EXIST IN ELECTION DISTRICT 15.

(C) THE RESTRICTIONS AND QUALIFICATIONS FOR ISSUANCE, FEE, MINIMUM SQUARE FOOT AREA REQUIREMENT FOR FOOD AND BEVERAGE PREPARATION AND CONSUMPTION, AND DAYS AND HOURS OF SALE UNDER A CLASS B (OMTC) RESTAURANT BEER, WINE AND LIQUOR (ON-SALE) LICENSE ARE THE SAME AS PROVIDED IN THIS ARTICLE AND THE REGULATIONS OF THE BOARD OF LICENSE COMMISSIONERS FOR A CLASS B BEER, WINE AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE, WITH THE FOLLOWING ADDITIONAL REQUIREMENTS:

(1) THE LICENSE MAY BE ISSUED ONLY FOR A LOCATION WITHIN THE "OWINGS MILLS TOWN CENTER", AS DEFINED IN THE BALTIMORE COUNTY MASTER PLAN AS OF OCTOBER 1, 1996;

(2) THE LICENSE SHALL BE USED IN CONJUNCTION WITH THE OPERATION OF A "RESTAURANT", AS DEFINED IN THIS ARTICLE AND IN THE REGULATIONS OF THE BOARD OF LICENSE COMMISSIONERS;

(3) THE RESTAURANT OPERATION SHALL ~~INCLUDE NOT LESS THAN 70% FOOD SALES IN CONNECTION WITH THE BUSINESS~~ MAINTAIN AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD OF AT LEAST 70% OF THE TOTAL DAILY RECEIPTS OF THE ESTABLISHMENT;

(4) THE TOTAL SEATING CAPACITY FOR THE AREA DEDICATED PRIMARILY FOR THE PURPOSE OF THE CONSUMPTION OF ALCOHOLIC BEVERAGES MAY NOT EXCEED 25% OF THE TOTAL SEATING CAPACITY OF THE ESTABLISHMENT; AND

(5) ~~SUBJECT TO SUBSECTIONS (D) AND (H) OF EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION,~~ THE HOURS DURING WHICH THE PRIVILEGES CONFERRED BY THE LICENSE MAY BE EXERCISED MAY NOT EXCEED THE HOURS IN WHICH FOOD IS OFFERED FOR SALE.

~~(E)~~ (D) THE LICENSE AUTHORIZES ON-PREMISES SALES ONLY.

~~(F)~~ (E) THE PROPOSED PREMISES SHALL COMPLY WITH ALL APPLICABLE ZONING REGULATIONS.

~~(G)~~ (F) ONCE ISSUED, THE LICENSE MAY NOT BE:

(1) TRANSFERRED TO A NEW LOCATION OUTSIDE THE STRUCTURE OF ORIGINAL LOCATION ISSUANCE; AND

(2) CONVERTED TO ANY OTHER CLASS OF LICENSE.