

RESOLUTION NO. 2020-

WHEREAS, Section 461 of the Pennsylvania Liquor Code (47 P.S. 4-461, hereinafter "Code") authorizes, among other things, the Pennsylvania Liquor Control Board (hereinafter "PLCB") to approve the transfer of liquor licenses across municipal boundaries within the same county and under certain conditions to issue restaurant and eating place retail dispenser licenses without regard to quota restrictions for the purpose of economic development; and

WHEREAS, subsection (b.3) of Section 461 requires that an intermunicipal transfer or issuance of a new license for economic development must, under certain conditions, first be approved by the governing body of the receiving municipality; and

WHEREAS, that subsection also requires that a receiving municipality issue a resolution approving or disapproving the intermunicipal transfer or issuance of a new liquor license prior to submission of an application for such transfer to the PLCB; and

WHEREAS, that subsection mandates that, prior to adoption of such a resolution, at least one hearing be held for the purpose of receiving comments and recommendations from interested individuals residing within the receiving municipality concerning the intent to transfer the license into the municipality or the issuance of an economic development license; and

WHEREAS, Wilbur Restaurant, LLC leases property located at 202 Wyandotte Street, Bethlehem, Northampton County, PA and intends to operate a full-service fine dining restaurant at such location; and

WHEREAS, on May 7, 2020, and pursuant to Section 461, the Applicant's request was received for approval by City Council, City of Bethlehem, Northampton County (hereinafter "Council") of a proposed intermunicipal transfer of Retail Restaurant Liquor License No. R-18906 from Sagra Bistro, LLC, formerly licensed at 620 Main Street, Hellertown, Northampton County, Pennsylvania.

WHEREAS, on June 3, 2020, and in accordance with Section 461 (b .3) Council held a properly advertised public hearing on the proposed liquor license transfer; and

WHEREAS, the purpose of this Resolution is to comply with Code Section 461 (b.3).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bethlehem, Northampton County, Pennsylvania as follows:

1. Applicant seeks approval of an intermunicipal transfer of Retail Restaurant Liquor License No. R-18906 from Sagra Bistro, LLC, formerly licensed at 620 Main Street, Hellertown, Northampton County, Pennsylvania to 202 Wyandotte Street, Bethlehem, Northampton County, Pennsylvania.

2. Applicant proposes to, and will, operate a full-service fine dining restaurant at the aforescribed location.

3. The Applicant's proposal is a permitted use at this location.

4. The Applicant's proposed full-service fine dining restaurant is in a Commercial District.

5. There is no evidence that the proposed, intermunicipal transfer will adversely affect the welfare, health, peace and morals of this City or the residents hereof.

6. Council hereby approves the Applicant's request for an intermunicipal transfer of Pennsylvania Liquor License No. R-18906 pursuant to Code Section 461 (b.3).

7. The transfer of the Liquor License contemplated hereby is subject to final approval by the PLCB.

Sponsored by: _____

ADOPTED by Council this _____ day of _____, 2020.

ATTEST:

City Clerk
