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October 7, 2025

VIA E-MAIL (tmiller@bethlehem-pa.gov) – ORIGINAL TO FOLLOW

Tad J. Miller, City Clerk
Office of the City Clerk
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

RECEIVED
OCT - 9 2025

OFFICE OF CITY CLERK

RE: Request Intermunicipal Liquor License Transfer
My Client: Cigar Page – Bethlehem, LLC
Site Location: 1010 Harvard Avenue, Bethlehem, PA 18015

Dear Mr. Miller:

Please consider this correspondence as my client’s request for an intermunicipal transfer of liquor license into the City of Bethlehem at the above location, pursuant to 47 P.S. § 4-461(b.3). Under this statute, please note that a public hearing (duly advertised) must be held by the municipal governing body for the purpose of receiving comments and recommendations of interested individuals residing within the municipality relative to my client’s application. In addition, the City Council must render a decision within 45 days of the request. In our experience before your Honorable Council, the hearings have been conducted at a legislative forum to ascertain whether moving the license into the City at a particular location would adversely affect the welfare, health, peace and morals of the municipality. Typically, the hearings have not been specially listed at their own times, but have been specially listed agenda items of regular City business. Further, the hearings have been conducted as the first order of business or immediately before the start of the regular meeting. We would respectfully request that this matter be listed on the next available City Council agenda in order to permit our client and the City to meet their legal requirements.

The proposed site is located at 1010 Harvard Avenue, Bethlehem, and I welcome the City Council to review zoning records and the submission of building plans in this regard. Construction is about to begin at the proposed site and my client plans to open a restaurant and bar with retail cigar sales. We have also provided the draft PLCB Transfer Application and the proposed Notice of the hearing to be posted at the premises. Should you have any questions, concerns, or need any additional information regarding my client’s proposal prior to the hearing, please do not hesitate to contact me. Lastly, attached is a copy of the proposed Resolution approving the transfer.

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We are also providing a check in the amount of \$200.00 representing the City's required fees. If additional fees are required, please advise and we will promptly forward the same.

Additional information regarding the applicant will be provided upon request. Please confirm when my client's request is scheduled to be heard by Bethlehem City Council. By copy of this correspondence, we are providing Brian Panella, City Council Solicitor, a copy of this request.

Thank you for your time and consideration.

Respectfully,



THEODORE J. ZELLER III

TJZ:rds
Enclosures
cc: Brian Panella, Esquire (w/encl.)

RESOLUTION NO. 2025 -

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, Cigar Page – Bethlehem, LLC owns or leases property located at 1010 Harvard Avenue, Bethlehem, Northampton County, PA and intends to operate a _____ at such location; and

WHEREAS, on _____, 2025 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-61034. The license was previously issued to Spring Mineral Restaurant & Bar LLC for licensed premises located at 702-706 Main Street, Northampton, Northampton County; and

WHEREAS, on _____, 2025 and in accordance with Section 461 (b .3) Council held a 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-61034 which was previously issued to Spring Mineral Restaurant & Bar LLC for licensed premises located at 702-706 Main Street, Northampton, Northampton County to 1010 Harvard Avenue, Bethlehem, Northampton County, Pennsylvania, pursuant to Code Section 461.

2. Applicant proposes to, and will, operate _____ at the aforescribed location.

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

4. The Applicant's proposed restaurant is in an Institutional zoning 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-61034 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 _____, 2025.

President of Council

ATTEST:

City Clerk