



**pennsylvania**  
LIQUOR CONTROL BOARD

October 6, 2021

Adam Rosenthal, Esquire  
Assistant Solicitor, City of Allentown  
435 Hamilton Boulevard, Suite 519  
Allentown, PA 18101

**RE: City of Allentown Resolution No. 30259**  
**Case No. 21-NE-17**

Dear Mr. Rosenthal:

Please be advised that the Pennsylvania Liquor Control Board ("Board") approved the petition of the City of Allentown, Lehigh County ("City") on October 6, 2021 in the above-referenced case, for the area designated by the City in its petition to be exempted. This area is exempted from compliance with section 493(34) of the Liquor Code, 47 P.S. § 4-493(34), regarding amplified sound for the period commencing October 6, 2021 and ending at 2:00 a.m. on October 6, 2024. The City's noise ordinance, Article 710 (Noise Control), found in Part Seven of its General Offenses Code, will be in effect during said period. A copy of the Board's Order and other pertinent documents are enclosed.

Sincerely,

RODRIGO J. DIAZ  
CHIEF COUNSEL

By:

  
\_\_\_\_\_  
JOHN H. FRAKER  
DEPUTY CHIEF COUNSEL

Enclosures

cc: Pennsylvania State Police Bureau of Liquor Control Enforcement  
Bureau of Licensing  
Allison Eberle-Lindemuth, Esquire  
✓ Licensees



# CITY OF ALLENTOWN

No. 30259

## RESOLUTION

R122 - 2021

*Introduced by the City Council and the Administration on August 4, 2021*

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Requests the Council of the City of Allentown to authorize the City Solicitor's Office to file a petition with the Pennsylvania Liquor Control Board to exempt a specific area of the City of Allentown, described herein, from the Pennsylvania Liquor Control Board's regulations regarding amplified music being heard off the licensed premises in favor of enforcing the City's own previously adopted Noise Ordinance, Article 710, of the City of Allentown's Codified Ordinances for five years following the date of approval of this petition.

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*Resolved by the Council of the City of Allentown, That*

WHEREAS, the City of Allentown ("City") has a previously adopted Noise Ordinance Codified as Article 710 and entitled "Noise Control". A true and correct copy of the Ordinance is attached hereto as "ATTACHMENT A" and incorporated herein as is fully set forth; and

WHEREAS, 47 P.S. § 4-493(34) – Unlawful acts relative to liquor, malt and brewed beverages and licenses, places restrictions on the sound level of music or other entertainment inside or outside of licensed liquor establishments; and

WHEREAS, 47 P.S. § 4-494 establishes penalties for violations of the restrictions identified in 47 P.S. § 4-493(34); and

WHEREAS, 47 P.S. § 4-493.1(b) grants local municipalities the right to file a petition with the Pennsylvania Liquor Control Board ("PLCB") for exemption from the requirements of 47 P.S. § 4-493(34) regarding amplified music being heard off the licensed premises for all licenses within an identifiable area in the municipality.

WHEREAS, the PLCB requires a resolution from the City confirming support of the filing of a petition to enforce the City's own Noise Ordinance in place of the PLCB's current regulations; and

WHEREAS, the area which will be affected by this decision is specifically described as bounded in "ATTACHMENT B" and more generally described thusly:

**Liberty Street from North 17<sup>th</sup> Street to North 19<sup>th</sup> Street, and 19<sup>th</sup> Street from Liberty Street to Tilghman Street, inclusive of the area bounded by:**

**The line of Tilghman Street from the intersection with 19<sup>th</sup> Street to the intersection with N. St. George Street.**

**The line of N. St. George Street from the intersection with Tilghman St. to the intersection with Early Street.**

**The line of Early Street from the intersection with N. St. George Street continued to N. 17<sup>th</sup> Street.**

**The line of N. 17<sup>th</sup> Street from the connection with the continuation of the line of Early Street to the North Eastern edge of Lehigh Valley Hospital.**



**BEFORE THE PENNSYLVANIA LIQUOR CONTROL BOARD**

In Re: City of Allentown : Municipal Application for  
Resolution No. 30259 : Exemption from Statute  
Case No. 21-NE-17 : Regarding Amplified Sound

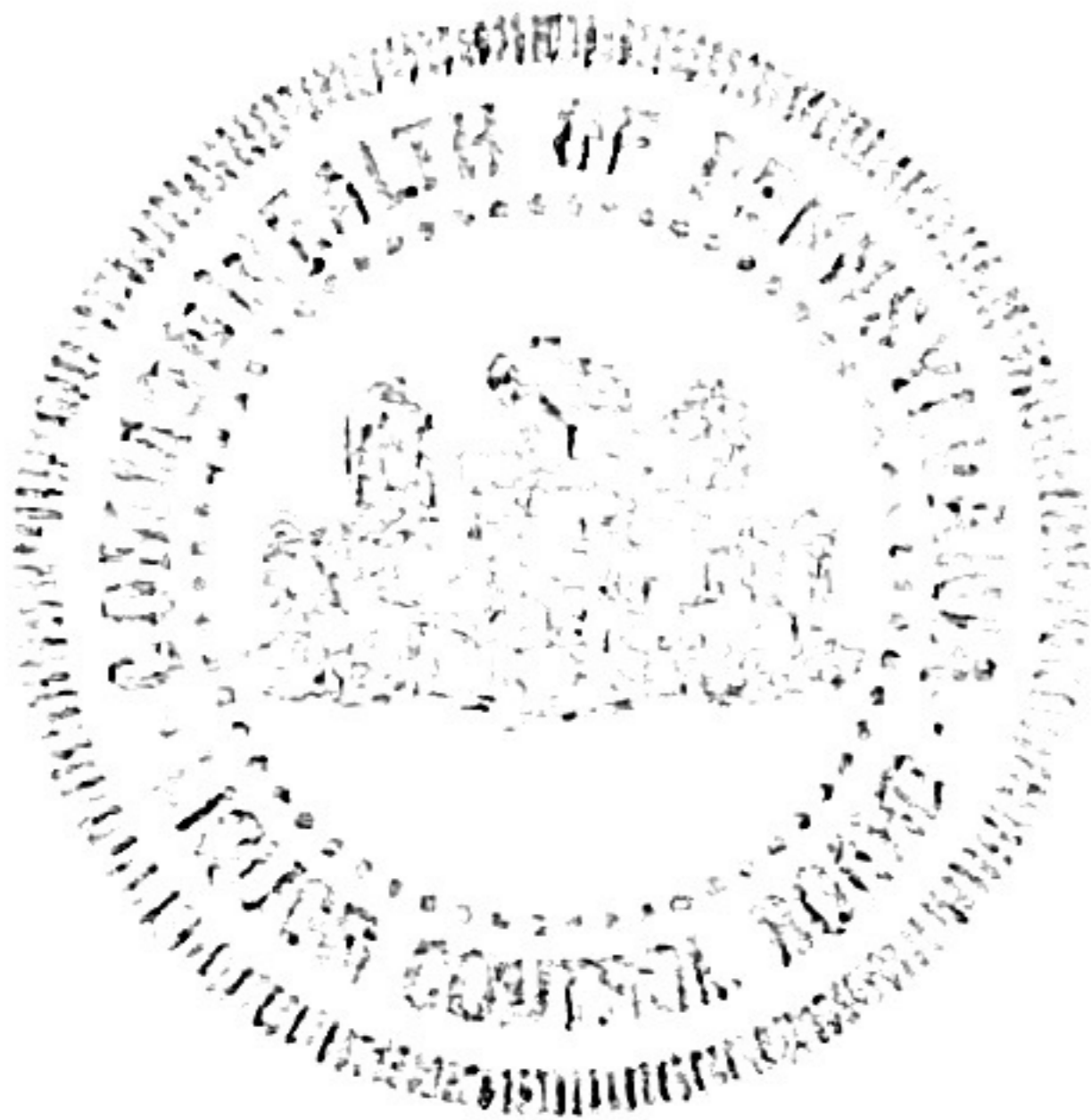
The Board, after giving careful consideration to all of the facts established at the hearing, and in the exercise of its discretion, makes the following Order:

**ORDER**

AND NOW, October 6, 2021, it is ordered and decreed that the municipal application for exemption from section 493(34) of the Liquor Code, 47 P.S. § 4-493(34), regarding amplified sound filed on behalf of the City of Allentown, Lehigh County ("City"), pursuant to Resolution No. 30259, is hereby **approved** for the area designated by the City in its petition to be exempted.

This approval shall commence on October 6, 2021 and shall end on October 6, 2024 at 2:00 a.m.

PENNSYLVANIA LIQUOR CONTROL BOARD



*Toni Holder*

BY \_\_\_\_\_  
Chairman

*M. P. [Signature]*

\_\_\_\_\_  
Member

*Mary P. [Signature]*

\_\_\_\_\_  
Member

ATTEST:

*John K. [Signature]*

\_\_\_\_\_  
Secretary



**pennsylvania**  
LIQUOR CONTROL BOARD

October 6, 2021

Telfair, Inc.  
Fairgrounds Hotel & Saloon  
448 N. 17<sup>th</sup> Street  
Allentown, PA 18104-5015

**RE: City of Allentown Resolution No. 30259  
Case No. 21-NE-17**

Dear Licensee:

This is to advise you that the Pennsylvania Liquor Control Board ("Board"), at its meeting of October 6, 2021, approved the application of the City of Allentown, Lehigh County ("City"), in the above-referenced case for a period commencing October 6, 2021 and ending at 2:00 a.m. on October 6, 2024. As a Board licensee in the area designated by the City in its petition, you are exempted from compliance with section 493(34) of the Liquor Code, 47 P.S. § 4-493(34), regarding amplified sound for the duration of said period. The City's noise ordinance, Article 710 (Noise Control), found in Part Seven of its General Offenses Code will be in effect during said period. Copies of the pertinent documents are enclosed.

Sincerely,

RODRIGO J. DIAZ  
CHIEF COUNSEL

By: \_\_\_\_\_  
JOHN H. FRAKER  
Deputy Chief Counsel

Enclosures

cc: Pennsylvania State Police, Bureau of Liquor Enforcement  
Bureau of Licensing  
Adam Rosenthal, Esquire, Assistant City Solicitor  
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