



CITY OF ALLENTOWN

**30057**

**RESOLUTION**

**R 118 – 2020**

*Introduced by City Council on October 7, 2020*

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**A RESOLUTION OF CITY OF ALLENTOWN, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. E4301 INTO CITY OF ALLENTOWN FROM WHITEHALL**

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

**WHEREAS**, Act 141 of 2000 (“the Act”) authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the City of Allentown, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

**WHEREAS**, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

**WHEREAS**, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality; and

**WHEREAS**, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

**NOW, THEREFORE, BE IT RESOLVED**, that Jay Ambe Food Mart, Inc. has requested the approval of the Allentown City Council for the proposed transfer of Pennsylvania restaurant liquor license no. E4301 (currently licensed to Robert Bechtel, 2016 South Lehigh Avenue, Whitehall, PA 18052) to restaurant facilities within the City of Allentown to be located at Jay Ambe Food Mart, Inc, 3026 Moravian Avenue, Allentown, PA 18103 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board.

**BE IT FURTHER RESOLVED**, that the City of Allentown City Council has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer.

**BE IT FURTHER RESOLVED**, that the City of Allentown approves, by adoption of this Resolution, the proposed intermunicipal transfer of restaurant liquor license no. E4301 into the City of Allentown by Jay Ambe Food Mart, Inc.

**BE IT FURTHER RESOLVED**, that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

**BE IT FURTHER RESOLVED**, that this is approved with the stipulation that sales be limited to beer and wine only.

Duly adopted this 7th day of October 2020, by the City Council of the City of Allentown, Lehigh County, Pennsylvania, in lawful session duly assembled.

**AMENDMENT THAT THIS IS APPROVED WITH THE STIPULATION THAT SALES BE LIMITED TO BEER AND WINE ONLY, PASSED 7 – 0.**

	Yea	Nay
Candida Affa	X	
Julio A. Guridy, VP	X	
Ce-Ce Gerlach	X	
Cynthia Mota	X	
Joshua Siegel	X	
Ed Zucal	X	
Daryl Hendricks, Pres.	X	
TOTAL	7	0

***THIS IS TO CERTIFY, That the above copy of Resolution No. 30057 was adopted by the City Council of Allentown on the 7<sup>th</sup> day of October, 2020, and is on file in the City Clerk's Office.***

  
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City Clerk