

**RESOLUTION
NO. 14 - 2020**

**A RESOLUTION OF THE BOROUGH OF JESSUP
COUNTY OF LACKAWANNA, COMMONWEALTH OF PENNSYLVANIA
APPROVING TRANSFER OF LIQUOR LICENSE:
NO. R-4843 WITH LID 11597 TO 1019 CONSTITUTION AVENUE, JESSUP, PA**

WHEREAS, Act 141 of 2000 (“the Act”), amending the Commonwealth’s Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code 47 P.S. § 4-461 as amended, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and,

WHEREAS, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one public hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a liquor license into the 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, RB Dev LLC has requested the approval of the Borough Council of the Borough of Jessup for the proposed transfer of Pennsylvania Liquor License No. R-4843 with LID 11597 to its facility at 1019 Constitution Avenue, Jessup, PA 18434, within the Borough of Jessup with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and,

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Jessup had held a public hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the transfer of a Liquor license into the Borough of Jessup will result in job creation, revenue enhancement and dining accommodations for the residents of the Borough of Jessup, all of which will substantially benefit the local economy and residents, and will not adversely affect the welfare, health, peace and morals of the municipality or its residents; and,

BE IT FURTHER RESOLVED, that the Borough of Jessup approves, by adoption of this Resolution, the proposed transfer of Liquor License No R-4843 with LID 11597 to 1019 Constitution Avenue, Jessup, PA 18434, subject to a re-hearing before the Borough Council for: (i) any change of use related to the business operated in connection with such license; (ii) any transfer within the Borough to another location within the Borough including, but not limited to, another building or premises and that it will not submit an application to transfer the License to a new location within the Borough unless it is accompanied by written approval of such request from the Jessup Borough Council, (iii) it shall not permit any “lewd, immoral or improper entertainment” as that term is defined under Section 7329(c) of the Crimes Code (18 Pa.C.S.A. § 7329); and, (iv) as otherwise permitted by law.

NOW THEREFORE BE IT RESOLVED, that the License transfer is subject to approval by the Pennsylvania Liquor Control Board.

IT IS HEREBY ACKNOWLEDGED THAT THIS RESOLUTION was adopted by a formal action at a regularly scheduled meeting on the _____ day of _____, 2020.

THE BOROUGH OF JESSUP

By: _____
President of Council

ATTEST:

Secretary

Approved this ____ day of _____, 2020

Mayor