

RESOLUTION NO. 1062

**BOROUGH OF AVALON
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE BOROUGH OF AVALON COUNCIL
APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO.
R-4678 INTO THE BOROUGH OF AVALON FROM MCKEE ROCKS
BOROUGH**

WHEREAS, Act 141 of 2000 (“the Act”), which amends the Commonwealth’s Liquor Code, 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 sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

WHEREAS, amendments to the Liquor Code stipulate that prior to adoption of a resolution by the receiving municipality, at least one hearing is held for the purpose of permitting interested parties to state their concerns regarding the transfer of a Restaurant 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 restaurant liquor license into the receiving municipality.

NOW THEREFORE, BE IT RESOLVED, 643 California Avenue, LLC has requested the approval of the Avalon Borough Council for the proposed transfer of Pennsylvania Restaurant Liquor License R-4678, which is currently issued to 1001 Chartiers Avenue, LLC for use at 1001 Chartiers Avenue, McKees Rocks, PA 15136 to its facilities located at 643 California Avenue, Pittsburgh, PA 15202 within Avalon Borough, 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 Avalon Borough Council finds that the transfer of Restaurant Liquor License R-4678 into Avalon Borough by 643 California Avenue, LLC not adversely affect the welfare, health, peace and morals of the Borough or its residents.

BE IT FURTHER RESOLVED, that the Avalon Borough Council approves, by adoption of this Resolution, the proposed inter-municipal liquor license transfer of 643 California Avenue, LLC to the premises situate at 643 California Avenue, Pittsburgh PA 15202.

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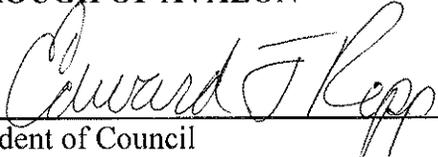
BE IT FURTHER RESOLVED, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I HEREBY CERTIFY that this Resolution was adopted by Borough of Avalon Council at its public meeting held on the 2 day of August, 2010 by a vote of 5-3.

ATTEST:


Borough Manager Secretary

BOROUGH OF AVALON


President of Council