

**EDINBORO BOROUGH
ERIE COUNTY, PENNSYLVANIA
RESOLUTION # 11-2020**

**A RESOLUTION OF BOROUGH OF EDINBORO, ERIE
COUNTY, COMMONWEALTH OF PENNSYLVANIA, TO
AMEND AND RESTATE RESOLUTION #16-2019
APPROVING THE INTRA-COUNTY TRANSFER OF
LIQUOR LICENSE INTO THE BOROUGH**

WHEREAS, PA Act 141-2000 (“the Act”) authorizes the Pennsylvania Liquor Control Board (the “PLCB”) 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 Act if, as in Edinboro Borough, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Edinboro Borough Council received a request for the approval of the proposed intra-county transfer of Pennsylvania Restaurant Liquor License bearing License No. R2220 (the “Liquor License”) from Romans 13:25 LLC presently located at 1325 State Street, Erie, Pennsylvania to Roman’s Holiday LLC for use at the facilities at the shopping mall known as Lakeside Commons, specially including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the intra-county transfer of a liquor license prior to an applicant’s submission of an application to the Pennsylvania Liquor Control Board; 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 liquor license into the municipality; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by a receiving municipality, at least one hearing be held for the purpose 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, the Borough Council held such a hearing on July 8, 2019 and approved the transfer of the Liquor License to the facilities located at 220 West Plum Street, Edinboro, Pennsylvania; and

WHEREAS, the PLCB subsequently requested that certain corrections and/or clarifications be made to Resolution #16-2019 regarding the identification of the entity transferring the Liquor License and the entity acquiring the Liquor License and the location of the Liquor License following the transfer of the same; and

WHEREAS, the Borough Council held another public hearing on June 8, 2020 and approved the transfer of the Liquor License to Roman’s Holiday, LLC at the facilities at the

shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania ; and

WHEREAS, the Borough Council hereby agrees to amend and restate Resolution #16-2019 pursuant to the PLCB's requests in order to facilitate to the transfer of the Liquor License to Roman's Holiday LLC at the facilities at the shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania.

NOW, THEREFORE, this the 8th day of June, 2020, be it **RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF EDINBORO**, the following:


1. **Recitals.** That the above recitals are incorporated as if more fully set forth herein.

2. **Approval.** That, that after taking into consideration the testimony offered by the parties requesting the transfer of the Liquor License and all of the comments and recommendations of interested individuals who reside or are taxpayers within the Borough received during the public hearings on July 8, 2019 and June 8, 2020 on the subject request, after due discussion and deliberation among members of Borough Council at the Regular Council meeting on July 8, 2019, and such further discussion and deliberation among members of Borough Council at the Regular Council meeting on June 8, 2020, Borough Council hereby amends and restates Resolution #16-2019 in order to approve the transfer of the Restaurant Liquor License bearing License No. R2220 from Romans 13:25 LLC presently located at 1325 State Street, Erie, PA to Roman's Holiday LLC at the facilities at the shopping mall known as Lakeside Commons, specifically including part of Suite 345 and Suite 575 of said shopping mall, located at 220 West Plum Street, Edinboro, Pennsylvania.


This Resolution 11-2020 is duly adopted this 8th day of June, 2020, by the Borough Council of Edinboro Borough, Erie County, Pennsylvania, in a lawful session duly assembled.

ATTEST:

HOME RULE BOROUGH OF EDINBORO



Kevin Oppe, Borough Manager



Aaron Gast, Mayor