

RESOLUTION 7 - 2023

**ACTING ON THE APPLICATION OF WEIS MARKETS, INC.
FOR THE PROPOSED INTERMUNICIPAL TRANSFER OF A
PENNSYLVANIA LIQUOR CONTROL BOARD RESTAURANT
LIQUOR LICENSE NUMBER R-11386
TO THE PREMISES AT 1 WEIS PLAZA
IN THE CITY OF NANTICOKE, LUZERNE COUNTY, PENNSYLVANIA**

WHEREAS, Weis Markets, Inc. has applied to the City of Nanticoke, Luzerne County, Pennsylvania, for approval of the intermunicipal transfer of a Pennsylvania Liquor Control Board Restaurant Liquor License R-11386, to the premises located at 1 Weis Plaza, Nanticoke City, Luzerne County, Pennsylvania; and

WHEREAS, Act 141 of 2000 (“the Act”) 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 if, as in the City of Nanticoke, 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 intermunicipal 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 Weis Markets, Inc. has requested the approval of the City of Nanticoke for the proposed transfer of restaurant liquor license No. R-11386, from Metz Concepts, LLC, 1280 Highway 315, Spaces 1301 and 1302, Plains Township, Luzerne County, Pennsylvania to Weis Markets, Inc. at its store located at 1 Weis Plaza, Nanticoke, PA with the understanding that the liquor license transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the City Council Members have 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; and

BE IT FURTHER RESOLVED that the City Council Members approve, by adoption of this Resolution, the proposed intermunicipal transfer of restaurant liquor license no. R-11386 into the City of Nanticoke for use by Weis Markets, Inc.; and

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

ADOPTED this 5th day of April, 2023, at a Regular Public Meeting following Public Hearing.

ATTEST:

CITY OF NANTICOKE COUNCIL

Jennifer W. Polito, City Clerk

By: _____
WILLIAM BROWN
Council President

YES VOTES: _____

NO VOTES: _____