

RESOLUTION NO. 10 OF 2017

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF MOUNT JOY TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA,
REGARDING THE INTERMUNICIPAL TRANSFER OF RESTAURANT LIQUOR
LICENSE NO. R-17421 INTO MOUNT JOY TOWNSHIP**

WHEREAS, the Pennsylvania Liquor Code, 47 P.S. §§ 1-101 – 10-1001, Act of April 12, 1951, as amended by Act 141 of 2000 (Liquor Code), authorizes the Pennsylvania Liquor Control Board to approve the intermunicipal transfer of a restaurant liquor license between municipalities within the same county, where the sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Liquor Code requires the applicant for such license to obtain from the receiving municipality a resolution approving the intermunicipal transfer of the liquor license, where the transfer will exceed the threshold of one liquor license per 3000 inhabitants of the receiving municipality, prior to the applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code requires that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held, subject to the notice provisions of Section 102, for the purpose of permitting individuals residing within the municipality to make comments regarding the transfer of a liquor license into the receiving municipality; and

WHEREAS, Sheetz, Inc, (Sheetz) requested the approval of Mount Joy Township for the proposed transfer of Pennsylvania restaurant Liquor License No. R-17421, obtained by Sheetz from the Pennsylvania Liquor Control Board by way of Public Auction, to its restaurant located at 1978 Baltimore Pike, Mount Joy Township, Adams County, Pennsylvania (Sheetz Restaurant); and

WHEREAS, following public notice, the Board of Supervisors of Mount Joy Township held a public hearing on February 16, 2017 to receive public comment on the requested intermunicipal transfer of restaurant Liquor License No. R-17421 to the Sheetz Restaurant; and

WHEREAS, by official action taken March 16, 2017, by oral vote and written Decision (attached and marked **APPENDIX A**), the Board of Supervisors of Mount Joy Township approved the request for the intermunicipal transfer of the restaurant Liquor License to the Sheetz Restaurant.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mount Joy Township that, by its Decision and adoption of this Resolution, it approves the proposed intermunicipal transfer of restaurant Liquor License No. R-17421 into Mount Joy Township to the Sheetz Restaurant located at 1978 Baltimore Pike, Mount Joy Township, subject to the following condition:

The on-site consumption of beer per individual shall: (i) require the concurrent purchase of a meal and (ii) be limited to maximum of two bottles/cans of beer.

ADOPTED this 16th day of March, 2017.

ATTEST:

Sheri L. Moyer, Secretary

MT. JOY TOWNSHIP

By: _____
John Gormont
Chairman, Board of Supervisors

I, Sheri L. Moyer, Secretary for Mount Joy Township, do hereby attest that the foregoing Resolution No. 10 of 2017 was voted upon and approved by unanimous vote of the Board of Supervisors on the 16th day of March 2017.