

BOROUGH OF WEST NEWTON
RESOLUTION 2010-1

A RESOLUTION OF THE BOROUGH OF WEST NEWTON, WESTMORELAND COUNTY,
COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF
RESTAURANT LIQUOR LICENSE NUMBER R-19214 INTO THE BOROUGH OF WEST
NEWTON FROM NORTH HUNTINGDON TOWNSHIP

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 for 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; and

NOW THEREFORE, BE IT RESOLVED, D & A Operations, LLC has requested the approval of the Borough Council of West Newton for the proposed transfer of Pennsylvania Restaurant Liquor License R-19214 to its facilities within the Borough of West Newton 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 of West Newton, through its Council, finds that the transfer of a Restaurant Liquor License into the Borough of West Newton by D & A Operations, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

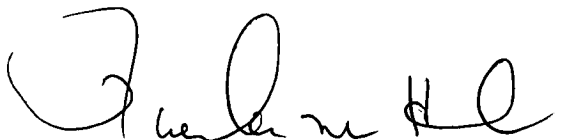
BE IT FURTHER RESOLVED, that the Borough of West Newton Council approves, by adoption of this Resolution, the proposed inter-municipal liquor license transfer of D & A Operations, LLC for the premises 108 West Main Street, West Newton, Pa. 15089 from Bubba Darius, Inc., 1091 Clay Pike , North Huntingdon, Pa. 15642 North Huntingdon Township.

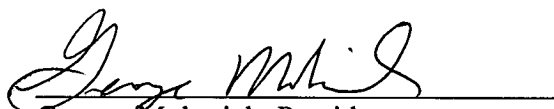
BE IT FURTHER RESOLVED, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I HEREBY CERTIFY that this Resolution was adopted by the Borough of West Newton Council at its public meeting held on Monday, February 8, 2010.

ATTEST:

BOROUGH OF WEST NEWTON


Pamela M. Humenik, Secretary


George Molovich, President