

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 060122)

RESOLUTION

Adopting findings of fact and conclusions of law with respect to certain appeals filed in the Philadelphia Court of Common Pleas regarding Council's decision disapproving applications to sell malt and brewed beverages for consumption off- premises.

WHEREAS, Act 39 of 2005 requires that an application to the Pennsylvania Liquor Control Board for a permit to sell malt or brewed beverages for off-premises consumption in Philadelphia must be accompanied by a copy of the approval of such application by Council, which must render a decision by ordinance or resolution within forty-five days of receipt of a request for such approval; and

WHEREAS, In accordance with Sections 9-2906 and 9-2907 of The Philadelphia Code, after hearings conducted by hearing examiners appointed by Council, Council, by Resolution, disapproved the applications referenced in the attached findings of fact and conclusions of law; and

WHEREAS, Appeals of Council's final decision have been filed in each of the referenced applications; and

WHEREAS, In accordance with Section 9-2909(1) of The Philadelphia Code, Council has prepared findings of fact and conclusions of law with respect to those applications; and

WHEREAS, Section 9-2909(2) of The Philadelphia Code requires that Council must adopt findings of fact and conclusions of law by Resolution; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

THAT The Council hereby ADOPTS the findings of fact and conclusions of law in the following appeals filed in the Philadelphia Court of Common Pleas regarding Council's decision disapproving applications to sell malt and brewed beverages for consumption off- premises:

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BPA2005-0432, Shin's Market, 2248 Ridge Avenue, 19121
BPA2005-0536, Lyric 99 Inc., 6000-02 Haverford Avenue, 19151
BPA2005-1580, RCP No.3, 105-107 Grape Street, 19127
BPA2005-1658, Cresson Inn Bar and Grill Inc., 114 Gay Street, 19127

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the sixteenth of February, 2006.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Blackwell for Council President Verna

Sponsored by: Council President Verna