

City of Philadelphia



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

(Resolution No. 051049)

RESOLUTION

Rejecting the hearing examiner's recommendation and disapproving the following application for a permit to sell malt and brewed beverages for consumption off-premises:

Iberia Café Inc
4638 N 5th Street
Philadelphia, PA 19140

WHEREAS, Act No. 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, On September 22, 2005, Council received the above-entitled application for a permit to sell malt and brewed beverages for consumption off-premises (City Council Application No. BPA2005-1260, Liquor License No. R 05400); and

WHEREAS, In accordance with the "Rules Governing Requests For Approval Of Permits To Sell Malt Or Brewed Beverages For Consumption Off Premises In Philadelphia" ("Rules") adopted by Council, a protest was duly filed against the request; a hearing was held on the matter before a hearing examiner retained by Council; and the hearing examiner has filed with Council a written report (copy attached as Exhibit "A") that recommends that Council approve the request; and

WHEREAS, Council, after review of the hearing examiner's report and the record developed by the hearing examiner, including review of the transcript of the hearing, rejects the recommendation of the hearing examiner; now, therefore,

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RESOLUTION NO. 051049 continued

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

THAT The Council hereby DISAPPROVES the following application for a permit to sell malt and brewed beverages for consumption off-premises:

Iberia Café Inc
4638 N 5th Street
Philadelphia, PA 19140

Council finds that approving such permit would adversely affect the welfare, health, peace and morals of the City and its residents.

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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 third of November, 2005.

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