

# City of Philadelphia



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

(Resolution No. 051082)

## 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:

4659 Virginia's Inc  
4659-61 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 26, 2005, Council received the above-entitled application for a permit to sell malt and brewed beverages for consumption off-premises (City Council Application No. BPA2005-1091, Liquor License No. R 1426); 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. 051082 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:

4659 Virginia's Inc  
4659-61 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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*RESOLUTION NO. 051082 continued*

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*RESOLUTION NO. 051082 continued*

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