

Legislation Text

File #: 060322, **Version:** 0

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 a hearing conducted by a hearing examiner appointed by Council, Council, by Resolution, disapproved the application referenced in the attached findings of fact and conclusions of law; and

WHEREAS, An appeal of Council's final decision has been filed in the referenced application; 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 this application; 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 appeal filed in the Philadelphia Court of Common Pleas regarding Council's decision disapproving the application to sell malt and brewed beverages for consumption off-premises:

BPA2005-1177, Stanley Stein, Inc., 2332 Orthodox Street, 19137