

TABLED after Introduction on 1/9/2024 to allow for a Public Hearing.

SF
8A
7A

RESOLUTION NO. 6

2024

Introduced in Council on above date and referred to Committee on January 9, 2024

RULES

City Clerk

APPROVING THE INTERMUNICIPAL TRANSFER OF A RESTAURANT LIQUOR LICENSE NO. 58619, CURRENTLY OWNED BY CALANDI'S CAFÉ & RISTORANTE INC., AND LOCATED AT 36 PIKE STREET, CARBONDALE, LACKAWANNA COUNTY, PENNSYLVANIA 18407, TO WARNEYDALTON, LLC LOCATED AT 515 CENTER STREET, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA 18503, AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

WHEREAS, the Pennsylvania Liquor Control Board ("PLCB") requires that the governing body of a municipality pass legislation approving an inter-municipal transfer of a liquor license; and

WHEREAS, WarneyDalton LLC wishes to purchase Restaurant Liquor License No. 58619 currently owned by Calandi's Café & Ristorante, Inc. and located in Carbondale, Pennsylvania and move it into the City of Scranton to be used by Warney Cellar and Tap, 515 Center Street Scranton, Lackawanna County, Pennsylvania 18503; and

WHEREAS, Act 141 of 2000 (the "Act") authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of a Restaurant Liquor License across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the City of Scranton, sales of liquor and malt or brewed beverages are legal within the municipality receiving the license; and


WHEREAS, the City of Scranton approves the transfer of this license subject to its authority regarding inter-municipal transfers and subject to public comment on the same; and

WHEREAS, a public advertisement will be placed in The Scranton Times on 1/12/2024 and January 17, 2024 and a public hearing will be held on 1/23/24 in accordance with the requirements of the Pennsylvania Liquor Control Board.

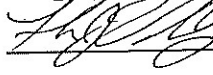
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the inter-municipal transfer request of WarneyDalton LLC to transfer Restaurant Liquor License No. 58619 which is currently owned by Calandi's Care & Ristorante, Inc. and located in Carbondale, Pennsylvania into the City of Scranton to be used at Warney Cellar and Tap, 515 Center Street, Scranton, Lackawanna County, Pennsylvania 18503, following publication and hearing as mandated by the Liquor Code, with the understanding that said transfer must also be approved at a later date by the Pennsylvania Liquor Control Board, is hereby approved.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

Scranton, Pa. January 31, 2024
Committee on Rules (approved/adopted) on the within resolution.

Chair

CERTIFIED COPY

 City Clerk

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

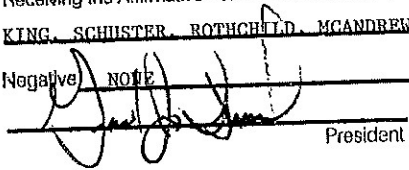
Passed by the Council

January 31, 2024

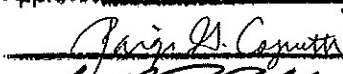

Receiving the Affirmative votes of Council Persons

KING, SCHUSTER, ROTHCHILD, MCANDREW, SHURL

Negative NOTE



President

Approved 2/1/2024
 Mayor
 City Clerk
Certified Copy