

TABLED after Introduction on 1/23/2024 to allow for a Public Hearing to be held on 2/6/2024.

RESOLUTION NO. 9

2024

APPROVING THE INTERMUNICIPAL TRANSFER OF A RESTAURANT LIQUOR LICENSE R7373 CURRENTLY OWNED BY MARIANO'S CUCINA, LLC LOCATED AT 414 CHURCH STREET, JESSUP, LACKAWANNA COUNTY, PENNSYLVANIA 18434 TO GOURMET DINING, LLC LOCATED AT 2400 YORKMONT ROAD, CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, 28217 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, Gourmet Dining, LLC, wishes to purchase Restaurant Liquor License No.7373 currently owned by Mariano's Cucina, LLC, and located in Jessup, Pennsylvania, 18434, and move it into the City of Scranton to be used by Gourmet Dining, LLC, 2400 Yorkmont Road, North Carolina, 28217; 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 Seranton 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 was placed in The Scranton Times on 1/25/24 and Jan. 30, 2024 and a public hearing will be held on 2/6/2024 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 Gourmet Dining, LLC, to transfer Restaurant Liquor License No. 7373 which is currently owned by Mariano's Cucina, LLC, Inc. and located in Jessup, Pennsylvania into the City of Scranton to be used by Marywood University, 1300 University Avenue, Nazareth Student Center, First Floor, Scranton, Lackawanna County, Pennsylvania 18509, 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.

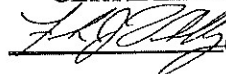
Introduced in Council on above date and referred to Committee on January 23, 2024

RULES

Scranton, Pa. February 20, 2024  
Committee on Files report favorably on the within resolution.

Chair

CERTIFIED COPY

 City Clerk

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.

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.

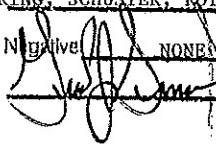
Passed by the Council

February 20, 2024

Receiving the Affirmative votes of Council Persons

KING, SCHUSTER, ROTHCHILD, MCANDREW, SMURL

Negative          NONE         



President

Approved 2/22/2024  
[Signature] Mayor  
[Signature] City Clerk  
Certified Copy