

RESOLUTION NO. 2024-08

A RESOLUTION OF THE BOROUGH OF SCOTTTDALE, WESTMORELAND COUNTY, PENNSYLVANIA, APPROVING THE TRANSFER OF LIQUOR LICENSE NO. R-17336 FROM THE CITY OF NEW KENSINGTON TO A LOCATION WITHIN THE BOROUGH OF SCOTTTDALE

WHEREAS, the Pennsylvania Liquor Code §47 PS 4-461(b), (hereinafter the "Liquor Code") allows transfers of existing liquor licenses within Westmoreland County from one municipality to another under certain circumstances; and,

WHEREAS, under §4-461 (3) of the Liquor Code, any inter-municipal transfer must first be approved by the receiving municipality before making an application to the Pennsylvania Liquor Control Board; and,

WHEREAS, the receiving municipality is required to hold a public hearing upon the request prior to any such transfer for the purpose of receiving comments and recommendations from interested individuals residing within the municipality; and,

WHEREAS, the governing body of the municipality is required to render a decision by ordinance or resolution approving or disapproving the Applicant's request within forty-five (45) days of a request for approval; and,

WHEREAS, the Township received a request from GRACESTONE INN, LLC on or about October 20, 2024, for approval to transfer Liquor License No. R-17336 for use by GRACESTONE INN, LLC on those premises within the Borough of Scottsdale, Westmoreland County, PA bearing Westmoreland County Tax Map Parcel No. 30-02-02-0-137, and located at the intersections of North Chestnut Street and Mulberry Street, the subject property having two street (2) addresses, namely, 115 North Chestnut Street and 401 Mulberry Street, Scottsdale, Westmoreland County, PA 15683 ; and

WHEREAS, such license is currently owned by MRAM Enterprises, LLC, and tied to the premises at 479 6th Ave, New Kensington, PA; and

WHEREAS, on December 9, 2024 the Council of Scottdale Borough conducted the required public hearing to receive recommendations from the public for the transfer of such liquor license within Scottdale Borough; and

WHEREAS, the Council of Scottdale Borough adopts this Resolution to approve the requested transfer subject to those terms set forth hereafter.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE BOROUGH OF SCOTSDALE, WESTMORELAND COUNTY, PENNSYLVANIA, HEREBY RESOLVES AS FOLLOWS:

1. That based upon the evidence and testimony produced at the public hearing on December 9, 2024, the Council of Scottsdale Borough finds that the transfer of Restaurant Liquor License No. R-17336 will not adversely affect the welfare, health, peace and morals of Scottsdale Borough and/or its residents and, accordingly, the request of GRACESTONE INN, LLC to transfer Pennsylvania Liquor License No. R-17336 from MRAM, Enterprises, LLC, and tied to the premises at 479 6th Avenue, New Kensington, Westmoreland County, PA to GRACESTONE INN, LLC for use on those premises bearing Westmoreland County Tax Map Parcel No. 30-02-02-0-137, and located at the intersections of North Chestnut Street and Mulberry Street, the subject property having two street (2) addresses, namely, 115 North Chestnut Street and 401 Mulberry Street, Scottsdale, Westmoreland County, PA 15683, be and is hereby APPROVED.

2. That the Applicant shall reimburse the Borough for all actual costs and expenses incurred by the Borough in the disposition of this request, including, but not limited to, all advertising and legal fees incurred, within thirty (30) days of receipt of an Invoice for same.

3. The Borough's approval of this transfer is subject to the approval by the Pennsylvania Liquor Control Board of the transfer of the aforesaid license to GRACESTONE INN, LLC.

THIS RESOLUTION IS ADOPTED BY THE COUNCIL OF THE BOROUGH OF SCOTSDALE, WESTMORELAND COUNTY, PENNSYLVANIA AT A DULY ADVERTISED PUBLIC MEETING HELD THE 9th DAY OF DECEMBER, 2024 AND SHALL BE EFFECTIVE IMMEDIATELY.

THE COUNCIL OF THE BOROUGH OF SCOTSDALE


By: _____

Donald E. Stansak, President of Council

ATTEST:



Amy Baker, Secretary