



VIEW FROM THE BAR

by Marc Reisman, Esq.

mfn

my foodservice news

Legislative Bill Raises the Bar On Transferring Liquor Licenses in the City of Pittsburgh

A bill currently pending in the Pennsylvania Legislature would add another hurdle for a liquor license applicant to negotiate before obtaining the Pennsylvania Liquor Control Board's (PLCB) approval of a transfer of license.

The bill, which tracks the language of current requirements in the Liquor Code regarding transfers of licenses from one municipality to another, provides that all transfers of retail liquor licenses "within a city of the second class located within a county of the second class," i.e., Pittsburgh, must be approved by City Council. City Council would be required to hold at least one public hearing, and would have 45 days to render its decision. No standard for making the decision is set forth in the proposed legislation, and Council's decision would not be appealable. Council could extend the deadline for rendering its decision by an additional 60 days simply by sending written notification to the applicant.

The Pennsylvania House of Representatives passed this legislation by a unanimous vote, and it is currently awaiting Senate action.

If enacted, this legislation would increase significantly the amount of time it takes to transfer a liquor license within the City of Pittsburgh and represents a potentially formidable addition to the process of obtaining a liquor license.

It should be noted that at press time, this bill contains a requirement that each PLCB-approved manager of a licensed premises must complete training in the Responsible Alcohol Management Program (R.A.M.P.)



Photo by Dave Aschkenas

within 180 days of PLCB approval of appointment.

If you would like a copy of this bill, please contact me.

(This column is brought to you as a public service by Marc Reisman, a partner in the law firm of Gelman & Reisman. If you have an issue you would like to see addressed, or if you would like a reprint of a previous column, write to him at 429 4th Avenue, Suite 1701, Pittsburgh, PA 15219, or call 1-800-883-1LAW. This column is intended for informational purposes only - consult Mr. Reisman for legal advice specific to your situation.)

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