



VIEW FROM THE BAR by Marc Reisman, Esq.

RENEWING REFLECTIONS ON LICENSE RENEWAL APPLICATIONS

Here in Allegheny County, Pennsylvania, we've just gone through another liquor license renewal period. In order to be considered timely and to avoid a late fee, all Renewal Applications needed to be post-marked by April 2. For those licensees in other counties who will be going through the process later this year, a few observations:

- An Application, although filed with the Pennsylvania Liquor Control Board (PLCB) on time, will be considered to be late if the Application is incomplete, or if the necessary tax clearances from the Department of Revenue or Labor & Industry haven't been obtained by the deadline. Be aware that Labor & Industry issues a clearance certificate that you should include with your Application; Revenue issues the clearance to the PLCB via computer.
- If you are late, a late fee of \$100.00 must be paid. This late fee increases to \$250.00 if your Renewal Application is not in order before the new licensing period begins. And if you enter the new licensing period without your new liquor license or a writing from the PLCB indicating that your license has been renewed, you have no authority to serve or sell alcoholic beverages and you can be cited by the State Police for doing so.
- The Liquor Code gives the PLCB discretion to refuse a late-filed Application. This becomes especially important for licensees who have been targeted under the PLCB's Nuisance Bar Program, since it gives the PLCB an additional reason to object to the renewal of the license.



- The Application asks whether there have been any changes in business structure, manager, etc., and whether any such changes have been reported. In fact, such changes must be reported to the PLCB in a timely manner and the requisite filing fees paid. Failure to report is cause for the State Police to issue a citation.

- Despite the fact that a licensee is no longer

required to have a certain percentage of its sales be food items in order to qualify for a Sunday Sales Permit, the Application continues to require certain sales tax-related information.

- If your license is held by a corporation or limited liability company, don't forget to complete the Resolution; otherwise, a request from the PLCB for additional paperwork will follow.

(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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my foodservice news

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Betty's Restaurant
Archbold, OH

Bobbi Cappelli - Chef Owner
North Cape May, NJ

David Dagley - Chef
Jonz Catering
University Place, WA

**Connie Breeden-Stone PhD
Sr. Admissions Officer**
Education
Mt. Washington, KY

Greg Dickerson - Member
Southern Shores, NC

Laura Fajardo - Owner
Fabiola's
Lakeland, FL

Jay Hall - President
Grumpy Pete's Steakhouse
Pekin, IL

Charles DeLeva - Executive Chef/Owner
Charley's Gourmet Catering
Brodheads ville, PA

Lisa Callaghan - Admissions Officer
Sullivan University
Greenwood, MO

Marie Guerra - Owner
Cloverleaf
Troy, MI

Rick Crago - Mgr.
Rick's Grill
Marysville, OH

Dr. Sandra Kapoor - Professor
Cal Poly State Univ, Collins College
Pomona, CA

Debbie Duggan - Chef, Owner
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