

**Resolution Number 2014-08**  
**Hamiltonban Township, Adams County, Pennsylvania**

**A RESOLUTION OF THE TOWNSHIP OF HAMILTONBAN, COUNTY OF ADAMS,  
COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF  
RESTAURANT LIQUOR LICENSE NO. R-20194 INTO HAMILTONBAN TOWNSHIP**

WHEREAS, Act 141 of 2000 ("the Act"), which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitation provided for in Section 461 of the Liquor Code if, as in Hamiltonban Township, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the receiving municipality to issue a resolution approving the inter-municipal transfer of the liquor license from outside the receiving township to within its borders prior to submission of an application for such transfer to the Pennsylvania Liquor Control Board; and

WHEREAS, amendment to the Liquor Code stipulate that, prior to the adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of liquor license into the municipality; and

WHEREAS, a public hearing was held on the matter on March 4, 2014; and

WHEREAS, the Board of Supervisor of Hamiltonban Township has adopted this Application by Adjudication date March 4, 2014,

NOW, THEREFORE, B IT RESOLVED, that Hickory Bridge Farms, Inc. has properly requested the approval of the Board of Supervisors of Hamiltonban Township for the proposed transfer of Pennsylvania Restaurant Liquor License No, R-20194 by Hickory Bridge Farms, Inc., to restaurant facilities within Hamiltonban Township located at 96 Hickory Bridge Road, Fairfield, Adams County, Pennsylvania; and

BE IT FURTHER RESOLVED, that the Board of Supervisors of Hamiltonban Township, having advertised the Public hearing pursuant to 47 P.S" § 1 02, held a public hearing to receive comments on the proposed liquor license transfer and considered the issues, finds that the transfer of Restaurant Liquor License No. R-20194 into Hamiltonban Township by Hickory Bridge Farms, Inc., will not have any detrimental impact on the health, welfare, peace or morals of Hamiltonban Township or its residents. The Board further finds that the license transfer will contribute to economic development in the Township.


BE IT FURTHER RESOLVED, that Hamiltonban Township approves, by adoption of and for the reasons stated in this resolution, the proposed transfer of Restaurant Liquor License No.R-20194 into Hamiltonban Township by Hickory Bridge Farms, Inc.; and

BE IT FURTHER RESOLVED, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

ENACTED, into a Resolution this 4<sup>th</sup> day of March, 2014.

ATTEST:

HAMILTONBAN TOWNSHIP

By:   
Deborah K. Feiler  
Secretary/Treasurer

By:   
Robert L. Gordon, Chairman  
Board of Supervisors

(Corporate Seal)

**BEFORE THE BOARD OF COMMISSIONERS OF HAMILTONBAN TOWNSHIP  
ADAMS COUNTY, PENNSYLVANIA**

<b>IN THE MATTER OF</b>	:	
<b>HICKORY BRIDGE FARM, INC.</b>	:	
<b>APPLICATION TO TRANSFER</b>	:	<b>Liquor License Transfer</b>
<b>INTERMUNICIPAL LIQUOR LICENSE</b>	:	<b>Adjudication</b>
<b>PURSUANT ACT 141 OF 2000</b>	:	

**ADJUDICATION**

BY THE BOARD OF COMMISSIONERS, March 4, 2014:

Hickory Bridge Farm, Inc., filed an application on January 29, 2014 to transfer liquor license No. R-20194 to Hamiltonban Township, pursuant to Act 141 of 2000.

A public hearing was held on March 4, 2014 pursuant to advertising requirements of 47 P.S. §102. Notices were published on \_\_\_\_\_, and \_\_\_\_\_ in the \_\_\_\_\_.

The applicant's testimony was presented by Susan E. Good, Esquire of Lemoyne, Pennsylvania, and her witness, Mary Lynn Martin, President of Hickory Bridge Farm, Inc.

**I. FINDINGS OF FACT**

1. The applicant is Hickory Bridge Farm, Inc. of 96 Hickory Bridge Road, Orrtanna, Pennsylvania 17353.

2. Hickory Bridge Farm, Inc. currently owns a bed and breakfast with a restaurant at 96 Hickory Bridge Road, Orrtanna, Pennsylvania 17353 in Hamiltonban Township.

3. Applicant has acquired Liquor License No. R-20194 from an establishment in Adams County, Pennsylvania.

4. Applicant desires to use License No. R-20194 in Hamiltonban Township to provide alcoholic beverages at the restaurant located at 96 Hickory Bridge Road, Orrtanna, Pennsylvania 17353.

5. Applicant has unsuccessfully sought to obtain a liquor license in Hamiltonban Township. Currently, there are no available licenses in Hamiltonban Township that were within the price range of Applicant.

6. Applicant presented testimony that there will be no adverse impact to existing surrounding uses.

7. Applicant testified that it is anticipated that 20 % of sales will be in the form of alcoholic beverages, leaving the balance in food and non-alcoholic beverages.

8. There was no opposition to the proposed transfer.

9. The transfer of license will benefit economic development in Hamiltonban Township.

10. The transfer of the intermunicipal liquor license, as required by Hickory Bridge Farm, Inc., will not have any adverse effect on the public health, safety or morals of the citizens of the Township.

## II. CONCLUSIONS OF LAW

1. The Board of Commissioners has the power to adjudicate intermunicipal liquor license transfers pursuant to Act 141 of 2000.

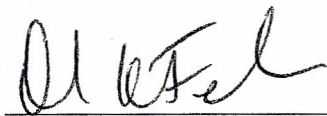
2. The application has complied with requirements of Act 141 of 2000, establishing procedures, criteria and fees for applications for intermunicipal transfers of liquor licenses.

3. Applicant's request for the transfer of an intermunicipal liquor license will not have any adverse effect on the public health, safety or morals of the citizens of the Township.

**III. DECISION**

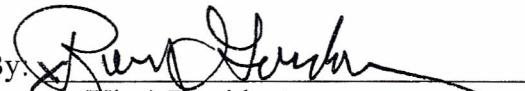
By reason of the foregoing, the application of Hickory Bridge Farm, Inc., was approved/disapproved on 3-4-, 2014.

ATTEST:  
(Corporate Seal)



(Assistant) Secretary

BOARD OF COMMISSIONERS  
OF HAMILTONBAN TOWNSHIP

By:   
(Vice) President