

TOWNSHIP OF WEST HEMPFIELD

Lancaster County, Pennsylvania

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RESOLUTION NO. 14-18

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A RESOLUTION OF THE TOWNSHIP OF WEST HEMPFIELD, LANCASTER COUNTY, PENNSYLVANIA, APPROVING THE REQUEST OF SHEETZ, INC., FOR AN INTERMUNICIPAL TRANSFER OF A LIQUOR LICENSE.

WHEREAS, Section 461(b.3) of the Liquor Code, 47 P.S. §4-461(b.3), provides that an intermunicipal transfer of a liquor license must first be approved by the governing body of the receiving municipality when the total number of existing restaurant liquor licenses and eating place retail dispenser licenses in the receiving municipality exceeds one license per three thousand inhabitants; and

WHEREAS, Sheetz, Inc., has filed an application (the "Application") with the Township to transfer Restaurant Liquor License No. R-20045 held by Chesapeake Crab Connection Company, 2834 Columbia Avenue, Lancaster, Pennsylvania (the "Liquor License"), to 4010 Columbia Avenue (the "Proposed Licensed Premises"); and

WHEREAS, Section 461(b.3) of the Liquor Code, 47 P.S. §4-461(b.3), further provides that the governing body shall hold a public hearing and, within forty-five days of a request for approval (or within sixty days if the governing body elects to exercise its right for an extension of time not to exceed sixty days), render a decision by ordinance or resolution to approve or disapprove the applicant's request for an intermunicipal transfer of a license, and the Board of Supervisors held such hearing on December 4, 2018; and

WHEREAS, the Board of Supervisors desires to approve the request of Sheetz, Inc., for an intermunicipal transfer of a license.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, as follows:

Section 1. The Board of Supervisors of the Township of West Hempfield hereby approves the Application of Sheetz, Inc., for an intermunicipal transfer of the Liquor License to the Proposed Licensed Premises.

Section 2. This approval is given by the Board of Supervisors solely for the purpose of an intermunicipal transfer of a liquor license and does not constitute approval of any requests which may arise with respect to zoning, subdivision or land development, construction, or any other matters. This approval does not limit the ability of the Township to impose conditions upon any land use approval or to collect any fees, costs, taxes, or payments in lieu of taxes.

Section 3. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 4th day of December, 2018, by the Board of Supervisors of the Township of West Hempfield, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST HEMPFIELD  
Lancaster County, Pennsylvania

Attest: Adw B St  
(Assistant) Secretary

By: David M. Demyer  
(Vice) Chairman  
Board of Supervisors

[TOWNSHIP SEAL]

