

**CITY OF JOHNSTOWN, PENNSYLVANIA**

**RESOLUTION NO. 10514**

**A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY,  
COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF  
RESTAURANT LIQUOR LICENSE R-16919 INTO THE CITY OF JOHNSTOWN  
FROM THE BOROUGH OF ASHVILLE**

**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 limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

**WHEREAS**, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

**WHEREAS**, amendments to the Liquor Code stipulate that prior to adoption of a resolution by the receiving municipality, at least one hearing is held for the purpose of permitting interested parties to state their concerns regarding the transfer of a Restaurant Liquor License into the 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 a restaurant liquor license into the receiving municipality.

**NOW THEREFORE, BE IT RESOLVED**, The Johnstown State Theater, LLC, has requested the approval of the City of Johnstown for the proposed transfer of Pennsylvania Restaurant Liquor License R-16919, currently owned by Kapfhammer, LLC, to its facilities within the City of Johnstown at 336 Main Street, Johnstown, Pennsylvania 15901, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

**BE IT FURTHER RESOLVED**, that the City of Johnstown, following a public hearing held pursuant to public notice, finds that the transfer of a Restaurant Liquor License into the City of Johnstown by The Johnstown State Theater, LLC will not adversely affect the welfare, health, peace and morals of the City or its residents.

**BE IT FURTHER RESOLVED**, that City Council approve, by adoption of this Resolution, the proposed inter-municipal liquor license transfer of The Johnstown State Theater, LLC, from 1666 Liberty Street, P.O. Box 175, Ashville, PA 16613 to 336 Main Street, Johnstown, PA 15901.

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

ADOPTED: July 13, 2022

By the following Vote:

Yeas: Mr. Arnone, Ms. Huchel, Mayor Janakovic, Mr. Britt, Rev. King

Nays:

Abstain: Mr. Capriotti

Absent: Mrs. Mock



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Frank J. Janakovic, Mayor  
Michael Capriotti, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10514** as the same by the City Council of the City of Johnstown, Pennsylvania.



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Ethan Imhoff, City Manager