

Resolution No. R -1 - 2018

A RESOLUTION OF THE BOROUGH OF DICKSON CITY
COUNTY OF LACKAWANNA, COMMONWEALTH OF PENNSYLVANIA,
APPROVING TRANSFER OF RESTAURANT LIQUOR LICENSE R3222

IN RE: Liquor License Transfer R3222 Dickson City Sushi, Inc. t/a
Tokyo Steakhouse 500 Commerce Blvd. Dickson City, PA 18519

WHEREAS, the Borough on or about March 9, 2010 upon request of the applicant held a public hearing and passed Resolutions 9 of 2009 and 3 of 2010 allowing the transfer of a liquor license into the Borough of Dickson City, subject to certain conditions; and

WHEREAS, Asia Group U.S., Inc., t/a Royal Buffet is a corporation duly authorized to operate within the Commonwealth of Pennsylvania and with a principal place of business at 821 Commerce Blvd., Dickson City, Pennsylvania; and

WHEREAS, Asia Group U.S., Inc., t/a Royal Buffett represents it is the owner of PA Liquor Control License No. R3222 effective October 1, 2017 through September 30, 2018; and

WHEREAS, Asia Group U.S., Inc. wishes to sell license No. R3222 to Dickson City Sushi, Inc., t/a Tokyo Steakhouse, 500 Commerce Blvd., Dickson City, Pennsylvania; and

WHEREAS, the Conditional Licensing Agreement approving the purchase of the liquor license, a copy of which was tendered with the request, it provides that if the owner wishes to transfer the license to a new location within the Borough it will seek written approval of the Dickson City Borough Council; and

WHEREAS, copy of the Agreement of the Sale of with Dickson City Sushi, Inc., t/a Tokyo Steakhouse, was tendered and avers that it will be operating a steakhouse buffet and restaurant with a bar area and service of alcohol to patrons over the age of 21 years; and

WHEREAS, Dickson City Sushi, Inc., t/a Tokyo Steakhouse, represented to the Borough following;

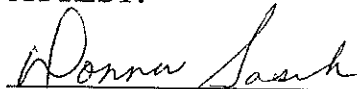
- a) the transfer of this liquor license will not have an adverse effect on health, welfare, peace or morals of the Borough of Dickson City;
- b) Dickson City Sushi, Inc. shall not permit any lewd, immoral or improper entertainment as defined under Section 7329(c) of the Crimes Code [18 Pa.C.S.A. Section 7329(c)];
- c) Dickson City Sushi, Inc. will not provide live entertainment or a disc jockey after midnight, on any evenings that licensed establishment is in operation, without prior written approval;
- d) Dickson City Sushi, Inc. agrees that it will not submit an application to transfer the license to a new location within the Borough of Dickson City without written approval of such request from the Dickson City Borough Council.

NOW THEREFORE BE IT RESOLVED, that the Borough of Dickson City approves, by adoption of this Resolution, the proposed transfer Liquor License No. R-3222 within the Borough of Dickson City to be located at 500 Commerce Boulevard, Dickson City, subject to the condition that Liquor License No. R-3222 transferred hereunder shall be subject to a re-hearing before the Borough Council for: (i) any change of use related to the business operated in connection with such license; (ii) any transfer within the Borough to another location within the Borough including, but not limited to, another building or premises; and (iii) as otherwise permitted by law. Further subject to the representations of the applicant and license holder, namely, items a through d above and incorporated herein by reference. .

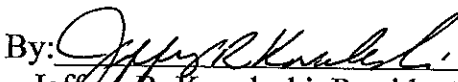
NOW THEREFORE BE IT FURTHER RESOLVED that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

IT IS HEREBY ACKNOWLEDGED THAT THIS RESOLUTION was adopted by a formal action at a regularly scheduled meeting on the 13th day of February, 2018.

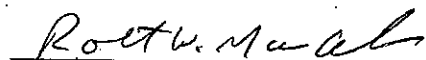
ATTEST:


 Donna Sosik, Secretary of Council

THE BOROUGH OF DICKSON CITY

By: 
 Jeffery R. Kovaleski, President of Council

Approved this 13th day of February, 2018.


 Robert MacCallum, Mayor