

No. 663

AN ACT

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances, and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," further regulating the issuance of new licenses for airport restaurants.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Liquor Code.

Section 1. Section 404, act of April 12, 1951 (P. L. 90), known as the "Liquor Code," amended July 10, 1961 (P. L. 554), is amended to read:

Section 404, act of April 12, 1951, P. L. 90, amended July 10, 1961, P. L. 554, further amended.

Section 404. Issuance of Hotel, Restaurant and Club Liquor Licenses.—Upon receipt of the application, the proper fees and bond, and upon being satisfied of the truth of the statements in the application that the applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the license, except as hereinafter permitted, and that the applicant is a person of good repute, that the premises applied for meet all the requirements of this act and the regulations of the board, that the applicant seeks a license for a hotel, restaurant or club, as defined in this act, and that the issuance of such license is not prohibited by any of the provisions of this act, the board shall, in the case of a hotel or restaurant, grant and issue to the applicant a liquor license, and in the case of a club may, in its discretion, issue or refuse a license: Provided, however, That in the case of any new license or the transfer of any license to a new location the board may, in its discretion, grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church, hospital, charitable institution, school, or public playground, or if such new license or transfer is applied for a place which is within two hundred feet of any other premises which is licensed by the board, or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil: And provided further, That the

board shall refuse any application for a new license or the transfer of any license to a new location if, in the board's opinion, such new license or transfer would be detrimental to the welfare, health, peace and morals of the inhabitants of the neighborhood within a radius of five hundred feet of the place proposed to be licensed: And provided further, That the board shall not issue new licenses in any license district more than twice each license year, effective from specific dates fixed by the board, and new licenses shall not be granted, except for hotels as defined in this act, unless the application therefor shall have been filed at least thirty days before the effective date of the license: And provided further, That nothing herein contained shall prohibit the board from issuing a new license for the balance of any unexpired term in any license district to any applicant in such district, who shall have become eligible to hold such license as the result of legislative enactment, when such enactment shall have taken place during the license term of that district for which application is made or within the thirty days immediately preceding such term, *nor shall anything herein contained prohibit the board from issuing at any time a new license for an airport restaurant, as defined in section 461 of this act, for the balance of the unexpired license term in any license district.*

APPROVED—The 21st day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 664

AN ACT

Amending the act of July 8, 1957 (P. L. 569), entitled "An act providing compensation to certain persons who served in the military, naval or air forces of the United States or of any of her allies during the Korean Conflict; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation and providing penalties," defining "veteran" so as to include career servicemen, and placing limitations on the amount of compensation.

Korean Conflict
Veterans'
Compensation
Act.

Section 2, act of
July 8, 1957,
P. L. 569
amended
December 1,
1959, P. L. 1686,
further amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2, act of July 8, 1957 (P. L. 569), known as the "Korean Conflict Veterans' Compensation Act," amended December 1, 1959 (P. L. 1686), is amended to read: