

No. 255

AN ACT

SB 927

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," by authorizing the sale of liquor and malt and brewed beverages in cities of the first class in restaurants in certain stadia.

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

Section 1. The act of April 12, 1951 (P.L.90), known as the "Liquor Code," is amended by adding after section 408.1, a new section to read:

Section 408.2. City-Owned Stadia.—(a) *The board is authorized to issue a license in any city of the ¹ first class for the retail sale of liquor and malt or brewed beverages by the glass, open bottles or other container or in any mixture for consumption in any restaurant on city-owned premises principally utilized for competition of professional and amateur athletes and other types of entertainment where there is an available seating capacity within the premises of twelve thousand or more.*

(b) *The application for a city-owned stadium license may be filed at any time by a concessionaire selected and certified by the city or its authorized agency and shall conform with all requirements for restaurant-liquor licenses and applications except as may otherwise be provided herein. Applicant shall submit such other information as the board may require. Applications shall be in writing on forms prescribed by the board and shall be signed and submitted to the board by the applicant. The filing fee which shall accompany the license application shall be twenty dollars (\$20).*

(c) *Upon receipt of the application in proper form and the application fee and upon being satisfied that the applicant is of good repute and financially responsible and that the proposed place of business is proper, the board shall issue a license to the applicant.*

(d) *The license shall be issued for the same period of time as*

¹"fist" in original.

provided for restaurant licenses and shall be renewed as provided in section 402. The license shall terminate upon revocation by the board or upon termination of the contract between the concessionaire and the city.

(e) The annual fee for a stadium license shall be six hundred dollars (\$600), and shall accompany the application for the license. Whenever a concessionaire's contract terminates the license shall be returned to the board for cancellation and a new license shall be issued to a new applicant.

(f) The penal sum of the bond which shall be filed by an applicant for a stadium license pursuant to section 465 of the "Liquor Code" shall be two thousand dollars (\$2,000) and in addition thereto he shall file an additional bond in a sum to assure payment of any fine imposed by the board up to one thousand dollars (\$1,000).

(g) Sales by the holder of a stadium license may be made except to those persons prohibited under clause (1) of section 493 of this act on city-owned premises customarily used or available for use for competition of professional and amateur athletes and other types of entertainment during the hours in which the entertainment is being held and up to one hour after the scheduled closing, and at functions which are incidental to or part of the stadium activities, but such sales may not be made beyond the hours expressed in the code for the sale of liquor by restaurant licensees: Provided, however, That during the hours expressed in this act for the sale of liquor by hotel licensees, sales of such liquor or malt or brewed beverages may be made by said licensee at banquets, not incidental to stadium activities, at which more than two thousand persons are scheduled to attend, and at functions irrespective of attendance, which are directly related to stadia purposes.

(h) Whenever a contract is terminated prior to the expiration date provided in the contract between the city and the concessionaire, the city may select and certify to the board a different concessionaire which concessionaire shall apply to the board for a new license. If the applicant meets the requirements of the board as herein provided a new license shall thereupon be issued. If any stadium license is revoked, the board shall issue a new license to any qualified applicant without regard to the prohibition in section 471, against the grant of a license at the same premises for a period of at least one year.

APPROVED—The 25th day of November, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly
No. 255.



Robert L. Kelley
Secretary of the Commonwealth.