

PROPOSED ZONING ORDINANCE AMENDMENTS FOR BREWERIES, WINERIES, DISTILLERIES AND PUBS

1. Amend Section 112-202, Definitions – add a definition of “Restaurant, Pub” as follows:

The licensed premises or storage location of a brewery, brewery pub, limited distillery, and limited winery (as defined, licensed, and regulated by the Pennsylvania Liquor Code and Pennsylvania Liquor Control Board) that sells and serves alcoholic beverages and food for consumption on the premises at tables and chairs, including bar seats, in a restaurant setting.
2. Amend Section 112-304.A., By-right Uses Table, to delete Brewery, Distillery and Winery by right in the ID District.
3. Amend Section 112-304.C., Conditional Uses Table, to designate Brewery, Distillery and Winery by conditional use in the ID District; and add “Restaurant, Pub” as a conditional use in the TC Zoning District.
4. Add a new Section 112-914 as follows:

112-914. Standards and criteria for Pub Restaurants

- A. In addition to the standards and criteria set forth in Section 112-1008.A, Pub Restaurants shall comply with the standards and criteria of this Section 112-914. The Borough Council has made a legislative decision that Pub Restaurants are conditionally permitted in TC Town Center District and in the ID Industrial District as part of a brewery only if the use complies with all of the standards and criteria of this Section 112-914. Any proposed use not meeting all of the standards and criteria set forth herein shall not be permitted by conditional use and any application to the Zoning Hearing Board for a variance required from any specific standard or criteria shall be considered an application for a use variance for the proposed use.
- B. Standards and Criteria.
 - (1) The Pub Restaurant shall habitually and principally serve food to the public. At all times that alcoholic beverages are being sold or served, the Pub Restaurant shall be preparing, selling, and serving food.
 - (2) Unless approved by Council as part of the conditional use decision, the Pub Restaurant shall not be combined with any other use including a nightclub, venue for the presentation of live or recorded music, or venue for theatrical, dramatic, comedic or celebrity appearances or performances.
 - (3) Unless the Pub Restaurant holds a valid permit as a Restaurant-Café in accordance with Chapter 90A of the Code or as may be permitted by Council Resolution from time to time, the service and consumption of alcoholic beverages shall occur inside buildings.

- (4) The Pub Restaurant shall not be located within three-hundred feet (300') of a hospital, charitable institution, medical clinic, religious use, school, public park or municipal recreational facility; or within two-hundred feet (200') of any other premises which is licensed by the Pennsylvania Liquor Control Board. The distances shall be measured in accordance with regulation of the Pennsylvania Liquor Control Board.
- (5) All owners and managers of and servers of alcoholic beverages at the Pub Restaurant shall successfully complete the Pennsylvania Liquor Control Board Responsible Alcohol Management Program. Written proof thereof shall be provided to the Borough from time to time upon request.
- (6) The Pub Restaurant shall be monitored by video cameras with at a minimum of 24-hours of digital or videotape back-up, which shall be made available to the Borough Police Department upon request. The cameras shall be located and continuously maintained along the public sidewalk adjacent to the premises and at all locations of entrances to the premises.
- (7) The owner or manager of the Pub Restaurant shall provide to the Borough the name and contact telephone number of a management individual for the purpose of handling and resolving complaints and problems.
- (8) Within twenty-four hours of receipt, the owner or manager of the Pub Restaurant shall advise the Borough of any violations of law charged or citation issued by the Pennsylvania Liquor Control Board, the Pennsylvania State Police or other law enforcement agency.
- (9) The owners, managers and employees of the Pub Restaurant shall use reasonable efforts to prevent loitering of customers on the public sidewalk or public areas outside the premises.
- (10) The owners, managers and employees of the Pub Restaurant shall sweep and clear any and all debris on the sidewalk adjacent to the Pub Restaurant immediately after the business closes each day.
- (11) The Pub Restaurant shall be operated and maintained at all times in compliance with the Pennsylvania Liquor Code, rules and regulations of the Pennsylvania Liquor Control Board, and all applicable federal, state, and local laws, ordinances, rules, and regulations.