

For further information or questions about these options, please write to the following address:

Pennsylvania Liquor Control Board
Bureau of Licensing
P.O. Box 8940
Harrisburg, PA 17105-8940
or call us at (717) 783-8250
TTY: (717) 772-3725

To report problems or concerns related to licensed establishments, refer to the following PSP-BLCE district office locations.

Pennsylvania State Police
Bureau of Liquor Control Enforcement
District Office Locations

District Enforcement Office #1
6901 Woodland Avenue
Philadelphia PA 19142
(215) 726-6200 FAX: (215) 726-6230

District Enforcement Office #2
1095 Hanover Street
Wilkes-Barre, PA 18706-2028
(570) 828-2370 FAX: (570) 826-2281

District Enforcement Office #3
3655 Vartan Way
Harrisburg, PA 17110-9105
(717) 541-7961 FAX: (717) 541-7861

District Enforcement Office #4
313 Mt. Nebo Road
Pittsburgh, PA 15237-1305
(412) 548-2050 FAX: (412) 548-2064

District Enforcement Office #5
930 Route 22 East
Duncansville, PA 16635
(814) 693-6200 FAX: (814) 693-6207

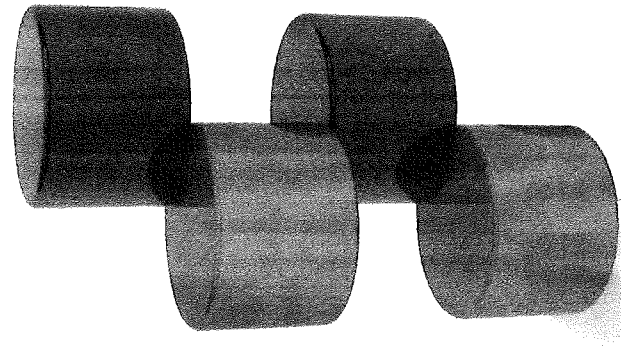
District Enforcement Office #6
150 Choate Circle
Montoursville, PA 17754
(570) 433-3959 FAX: (570) 433-3967

District Enforcement Office #7
305 Sutton Street
Punxsutawney, PA 15767-0497
(814) 938-0565 FAX: (814) 938-0571

District Enforcement Office #8
8349 Perry Highway
Erie, PA 16509
(814) 217-0001 FAX: (814) 217-0004

District Enforcement Office #9
7448 Industrial Parkway
Macungie, PA 18062
(484) 519-4500 FAX: (484) 519-4503

4 ways to close "nuisance" establishments



This brochure presents a summary of the various options available to individuals or groups in taking action against "nuisance establishments."

Pennsylvania Liquor Control Board
In The Public Interest.

Both the Pennsylvania State Police and the Pennsylvania Liquor Control Board encourage citizen involvement, through these four options to help keep alcoholic beverage licensees operating within the laws of Pennsylvania.

LCB-67 01/10
Re-Order Item #4067

Pennsylvania Liquor Control Board
In The Public Interest.

PROCEEDS BENEFIT ALL PENNSYLVANIANS

The vast majority of establishments licensed to dispense alcoholic beverages across the Commonwealth are maintained and operated in a proper manner. Unfortunately, some licensed premises can cause problems for individuals, neighborhoods, or entire communities.

The laws of Pennsylvania provide for a number of methods to deal with problems related to licensed establishments. The Pennsylvania Liquor Control Board (PLCB) does not enforce liquor laws. The Pennsylvania State Police (PSP), through its Bureau of Liquor Control Enforcement (BLCE), is assigned the primary responsibility for investigating alleged violations of liquor laws and regulations.

1 If you are aware of violations on licensed premises such as sales to minors, after hours sales, drugs, loud music, etc., contact the Pennsylvania State Police through their statewide 24-hour toll-free hot line (1-800-932-0602). PSP-BLCE district offices and telephone numbers are listed on the back of this brochure.

Citations brought against licensees by the Pennsylvania State Police are ruled on by an Administrative Law Judge who sets penalties consisting of fines and/or suspension of operational privileges for a set period of time or revocation (termination of license).

2 Secondly, in more extreme situations, an establishment may be declared a common nuisance and ordered closed by the local courts. The State Attorney General, the PSP-BLCE, district attorneys, municipalities or "a person who resides or has a place of business within 500 feet of the location of the alleged nuisance establishment" may bring an action to declare such nuisance under Section 611 of the Pennsylvania Liquor Code. Nuisance actions could result in a court order to padlock an establishment. Additionally, incidents such as loud and boisterous crowds, drug activity and litter problems occurring outside an establishment can also be addressed through this option. Such incidents should be reported immediately to your local police and/or the Pennsylvania State Police for investigation and documentation. The Attorney General or the District Attorney may bring a "drug nuisance" action against the licensee based on activity on or about the premise.

Contact the local PSP-BLCE, the District Attorney or Pennsylvania Attorney General if you wish to initiate a nuisance action. To prevail in a nuisance action, we recommend you present the following.

- ◆ Complete records of any nuisance activity occurring in and/or around the licensed establishment.
- ◆ Testimony from those who have firsthand knowledge of nuisance type activity.

Without the support and commitment of the community, an action against a common nuisance will not be successful.

3 The third option involves working with the PLCB to explore the possibility of not renewing the license. All alcoholic beverage licensees are required to submit a renewal application to the PLCB every two years. At renewal time, the PLCB may refuse to renew a license if it determines the licensee has abused its licensing privilege. This non-renewal action is commonly referred to as our "Nuisance Bar Program." Such refusals rely heavily on a licensee's citation history and local police records. Therefore, it is imperative the community also inform and involve both the PSP-BLCE and local law enforcement agencies of the improper conduct of a licensed establishment.

Non-renewals are based principally on violations of the liquor laws of the Commonwealth or regulations of the PLCB.

Remember, this information will be considered and evaluated only at the time of renewal. Any member of the community who provides this information may be asked to testify at a hearing to establish a basis for non-renewal of the license. Testimony is generally limited to witnesses who have first hand knowledge of improper conduct occurring in and around the licensed premises.

In addition, Section 478 of the Liquor Code allows the Bureau of Licensing to examine complaints by neighbors involving loud music entertainment by amplification or noise from entertainment, and lewd conduct on the licensed premise. Information furnished will be reviewed to determine if the "Amusement Permit" issued by the PLCB should be renewed.

4 Another option allows residents of a municipality to publicly vote to eliminate certain types of licenses in a municipality using Section 472 of the Liquor Code (local option). This method would eliminate not only the problem establishment, but all other establishments holding that category of license. It is important when choosing this option to comply with all the time limits, filing, petitions, etc., as required by law. For more information regarding local option elections, contact your local county board of elections or the PLCB.

Additionally, municipalities may, through ordinances and resolution or appropriate action in accordance with law and local government, dictate other guidelines regarding amusement in licensed establishments.