

# A STEP-BY-STEP GUIDE ON FILING OPPOSITION TO THE ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE

## STEP ONE: OBSERVE PUBLIC NOTICE

Applicants for retail and wholesale licenses are required by law to post public notice of their application for these licenses. A placard similar to the one in this guide must be posted on a clearly visible part of the proposed premises.

Objections to the approval of a proposed alcoholic beverage license must be filed within 30 days of the posting of public notice. In rare cases, protests and petitions to intervene filed beyond this 30-day period may be considered when good cause is shown for the lateness.



The image shows a sample placard form titled "PUBLIC NOTICE OF APPLICATION ALCOHOLIC BEVERAGES" from the Pennsylvania Liquor Control Board. The form includes fields for Applicant Name, License No., and Premises Address. It is divided into sections for New License, Transfer of License, Extension of Premises, and Change of Business Structure, each with specific checkboxes for different types of applications. There is also a section for Protests and Petitions to Intervene.

## STEP TWO: DETERMINE STANDING TO FILE PROTESTS/ PETITIONS TO INTERVENE

Those who may file a protest when proximity is at issue (e.g., new applications, extension applications, place-to-place transfers, and double transfers) include:

- People residing within 500 feet of the proposed licensed premises.
- Restrictive institutions that are located within 300 feet of the proposed licensed premises, including churches, schools, hospitals, public parks with playground equipment for children, and charitable institutions.
- Other PLCB licensees whose licensed premises are located within 200 feet of the proposed licensed premises.

People/entities that do not fall into the above categories may be able to file a petition to intervene in the following situations:

- Can show a direct interest in an application and can demonstrate that a PLCB decision contrary to the petitioner's direct interest will cause the petitioner to be aggrieved may file a petition to intervene. For example, property owners within 500 feet of a proposed premises who do not reside on the property would not be eligible to file a protest, but the owners would be able to file a petition to intervene.
- For a change in ownership, officers, and/or Board-approved manager of a currently licensed premises, anyone with knowledge of the reputation of the proposed owners, officers, or Board-approved manager may file a petition to intervene.
- For a person-to-person transfer, anyone with knowledge of the reputation of the applicant's owners, officers, or proposed Board-approved manager may file a petition to intervene.

## STEP THREE: FILE PROTEST/PETITION TO INTERVENE

To have a protest considered, the eligible parties with standing must fall under one of the criteria mentioned in Step Two. Generally, to be considered timely, a protest and/or petition to intervene must be filed with the PLCB within 30 days of the public notice posting.

A protest and/or petition to intervene can be filed on the PLCB's website, [lcb.pa.gov](http://lcb.pa.gov), by placing the cursor over the link for "Licensing," then selecting [FILE PROTEST OR PETITION](#) and following the prompts. You will need the file number located at the bottom of the public notice placard; if the file number is not identified on the placard, call (717) 783-8250.

[PLCB Regulations](#) require that a person/entity who files a petition to intervene must also provide a copy of the petition to the applicant identified on the public notice placard.

## STEP FOUR: ATTEND PUBLIC HEARING

After objections are filed, a public hearing may be scheduled to take testimony from the applicant and the people/entities with standing who filed protests and petitions to intervene. Hearings may be virtual or in-person, and the people/entities with standing who filed valid protests and petitions to intervene will be notified in writing of the details of the hearing.

## STEP FIVE: HEARING RESULTS

After the hearing, a report summarizing the evidence gathered by an appointed hearing examiner is sent to the PLCB. The PLCB reviews the report and the Board decides to approve or refuse each application. People/entities who filed valid protests and petitions to intervene are notified in writing of the PLCB's decision. An appeal may be filed in the appropriate court of jurisdiction within the statutory timeframe.