

location for the construction of a hotel, eating place or club, at the time the application is made, and shall show any alterations proposed to be made thereto, or the new building proposed to be constructed after the approval by the board of the application for a license, or for the transfer of an existing license to another premises not then licensed. No physical alterations, improvements or changes shall be required to be made to any hotel, eating place or club, nor shall any new building for any such purpose be required to be constructed until approval of the application for license or for the transfer of an existing license to another premises not then licensed by the board. After approval of the application, the licensee shall make the physical alterations, *improvements and changes to the licensed premises, or shall construct the new building in the manner specified by the board at the time of approval. The licensee shall not transact any business under the license until the board has approved the completed physical alterations, improvements and changes of the licensed premises or the completed construction of the new building as conforming to the specifications required by the board at the time of issuance or transfer of the license and is satisfied that the establishment is an eating place, hotel or club as defined by this act. The board may require that all such alterations or construction or conformity to definition be completed within six months from the time of issuance or transfer of the license. Failure to comply with these requirements shall be considered cause for revocation of the license. No such license shall be transferable between the time of issuance or transfer of the license and the approval of the completed alterations or construction by the board and full compliance by the licensee with the requirements of this act, except in the case of death of the licensee prior to full compliance with all of the aforementioned requirements, in which event the license may be transferred by the board as provided in section 468 of this act for the transfer of the license in the case of death of the licensee.

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APPROVED—The 19th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 245

AN ACT

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed bev-

* "Improvement" in original.

erages; 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," exempting airport restaurants on State owned or operated airports from quota law.

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

Section 1. Subsection (d) of section 461, act of April 12, 1951 (P. L. 90), known as the "Liquor Code," added August 11, 1959 (P. L. 670), is amended to read:

Subsection (d), section 461, act of April 12, 1951, P. L. 90, added August 11, 1959, P. L. 670, amended.

Section 461. Limiting Number of Retail Licenses To Be Issued In Each Municipality.—

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(d) "Airport restaurant," as used in this section, shall mean restaurant facilities at any airport for public accommodation, which are owned or operated directly or through lessees *by the Commonwealth of Pennsylvania*, by any municipal authority, county or city, either severally or jointly, with any other municipal authority, county or city, but shall not include any such restaurant facilities at any airport situated in a municipality where by vote of the electors the retail sale of liquor and malt or brewed beverages is not permitted.

APPROVED—The 19th day of June, A. D. 1961.

DAVID L. LAWRENCE

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No. 246

AN ACT

Amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," regulating credit for pension for previous employment by the city in the bureau of fire or bureau of police.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Cities of second class.