

SELECT A CITY ▾

PITTSBURGH
BUSINESS TIMES

SMALL BUSINESS RESOURCE GUIDE

Local, state and federal resources for survival and recovery >

YOUR ACCOUNT

tschooley@bizjournals.... ▾

☰ INDUSTRIES & TOPICS



NEWS

LISTS & LEADS

PEOPLE & COMPANIES

EVENTS

LEADERSHIP TRUST

MORE...

**FOR THE EXCLUSIVE USE OF TSCHOOLEY@BIZJOURNALS.COM**

From the Pittsburgh Business Times:

<https://www.bizjournals.com/pittsburgh/news/2020/07/01/hospitality-group-sends-letter-to-allegheny-county.html>

Local hospitality group seek delay on Allegheny County ban on alcohol sales and enforcement over Covid-19

Jul 1, 2020, 12:00pm EDT

A local group of restaurants and other liquor licensees are seeking a delay in the implementation of Allegheny County's new liquor ban as well as its enforcement, submitting a letter to Allegheny County Chief Executive Rich Fitzgerald and Health Department Director Dr. Debra Bogen questioning the new order.

In a letter dated June 30, the day on which the ban went into effect, local hospitality lawyers Michael Sampson and Charlie Caputo representing more than 20 liquor licensed establishments in the county write they are "seriously troubled" by the order for what is an indefinite ban and the "economic, public safety, and legal concerns" it raises.

In a phone interview, Caputo called the new ban on alcohol sales in Allegheny County "a crippling blow to businesses that were already hanging on by a thread."



PETER-BRAAKMANN

Glass of wine, beer and whisky on a bar

He described the new ban in the context of what bars and restaurants have already gone through and what it has taken to adapt to challenging circumstances already caused by the pandemic.

That included coming out of being fully shutdown by the state of Pennsylvania for a couple of months only to be allowed to reopen in the green phase in early June. Caputo said most of their clients spent thousands of dollars to adapt their operations for new Covid-19 requirements, installing new plexiglass inside them and expanding their liquor licenses to allow for more outdoor service, along with adding tents and hiring back staff.

"We just came through a couple of months of pandemic and all segments of the industry were hit hard, bars and restaurants in particular," he said.

The letter details the economic damage caused by the pandemic to the restaurant industry nationwide, citing research by the National Restaurant Association that the industry lost an estimated \$120 billion during the months of March, April and May due to Covid-19. That includes more than eight million lost jobs, or two out of every three jobs in the industry.

As detailed in the letter, Sampson notes their clients in the matter also take issue with how little lead time they were given before the ban was put in place, with the Sunday announcement coming only 48 hours before the ban took place.

He also noted, supported by plenty of legal citations in the letter, that there's reason to think Allegheny County overstepped its legal authority in imposing the ban.

"Our clients don't believe this is necessarily legal," said Sampson. "The initial impression is it appears to violate Pennsylvania law."

Understanding the health risks involved from the pandemic, Caputo and Sampson argue for a need for rigorous enforcement against licensees that violate health and safety guidelines put in place to avoid the spread of Covid-19.

"Make no mistake, the Allegheny County proprietors condemn those establishments which are blatantly ignoring Governor Wolf's guidance and welcome the proper enforcement bodies to step in and rectify these situations," they write.

Caputo suggested Allegheny County didn't give enough time for the authorities to enforce the new restrictions only recently put into place to instead punish the industry as a whole.

"Let the enforcement agencies go in and handle the people who are not compliant," he said.

The ad-hoc action by the operators represented by Caputo and Sampson, the names of which were not revealed, is the first known local action over the county ban.

Their letter comes after correspondence by the Pennsylvania Licensed Beverage and Tavern Association on Monday asked Allegheny County to reconsider the ban as well.

Tim Schooley

Reporter

Pittsburgh Business Times

