

October 30, 2013

Telephone: (717) 783-9454

FAX: (717) 787-8820

Ben Franco

RE: Off premises Catering Permit

Dear Mr. Franco:

ISSUE: This office received your e-mail dated October 18, 2013, wherein you indicate that you did not use your off premises catering permit this year. You ask if your five hundred dollar (\$500.00) permit fee can be returned to you by the end of the year.

Records maintained by the Pennsylvania Liquor Control Board (“Board”) indicate that Winedown Café Wine and Bar, LLC holds Restaurant Liquor License No. R-4666 (LID 59612) for premises located at 622 Penn Avenue, West Reading, Pennsylvania.

OPINION: There is nothing in the Liquor Code or the Board’s Regulations that would permit the Board to refund your permit fee.

The Pennsylvania General Assembly is responsible for enacting legislation regarding the Liquor Code. Therefore, if you wish a change in the law, you should contact your state or local representative.

Should you have any additional questions, do not hesitate to contact this office.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Ben Franco
October 30, 2013
Page 2

Very truly yours,

FAITH S. DIEHL
CHIEF COUNSEL

cc: Pennsylvania State Police,
Bureau of Liquor Control Enforcement
Jerry W. Waters, Director of Office of Regulatory Affairs
Tisha Albert, Director, Bureau of Licensing
Jeffrey Lawrence, Assistant Director, Bureau of Licensing

LCB Advisory Opinion No. 13-476