

November 20, 2013

Telephone: (717) 783-9454
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Howard DeEsch

RE: Revisions to Bylaws

Dear Mr. DeEsch:

ISSUE: This office is in receipt of your e-mail of November 6, 2013, wherein you advise that you are president of a social club governed by the Pennsylvania Liquor Control Board and are anticipating making addendums to the current bylaws. You inquire if such revisions require approval and/or Board involvement.

Pennsylvania Liquor Control Board ("Board") records indicate that Woodlawn Fire Company Number 1 holds Catering Club Liquor License No. CC-6007 (LID 4154) for the premises located at 2217 Belmont Street, Allentown, Pennsylvania.

OPINION: The Liquor Code generally allows club licensees to manage internal affairs in a manner in which they deem fit. The only requirement imposed by the Liquor Code is that club licensees act in a lawful manner (for example, no bylaws allowing sales to minors), and that the club adhere to whatever constitution/bylaws it has established. [40 Pa. Code § 5.81]. Therefore, so long as you compose addendums in the manner set forth by your constitution/bylaws, such changes would be permissible under the Liquor Code. No approval either before or after membership vote is required.

If you have any further questions or concerns regarding the Liquor Code or the Board's Regulations, please do not hesitate to again 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

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- 497