

December 17, 2013

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Paul D. Welch, Jr., Esquire
Coploff, Ryan & Welch
136 East Water Street
P.O. Box 389
Lock Haven, Pennsylvania 17745
VIA FAX: (570)748-7120

Re: Loggia Giosue Carducci Lodge No. 146, Inc.

Dear Mr. Welch:

ISSUE: Your letter of November 20, 2013, to Julie Brennan, Legislative Aide to Senator John Wozniak, was forwarded to this office for response. In your letter, you advise that you represent Loggia Giosue Carducci Lodge No. 146, Inc. ("Local Lodge"). You advise that the Grand Lodge of Pennsylvania, Sons and Daughters of Italy ("State Lodge") has broken away from the Order of Sons of Italy in America ("National Lodge"), and both the State and National Lodges are claiming the affiliation of the Local Lodge.

You understand that the Local Lodge is required by the Liquor Code to adhere to its bylaws. You advise that the Local Lodge's current bylaws mention certain requirements involving the State or National Lodge, although it is unclear that such language mandates affiliation, as there is no specific wording to that effect. You ask if the Local Lodge may amend its bylaws to remove such affiliation without affecting its liquor license.

Records of the Pennsylvania Liquor Control Board ("Board") indicate that the Local Lodge holds Catering Club Liquor License No. CC-3558 (LID 46634) for the premises located at 1 Henderson Street, Lock Haven, 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 adheres to whatever

constitution/bylaws it has established. [40 Pa. Code § 5.81]. Therefore, so long as the bylaws are amended in the manner prescribed by the bylaws, such changes would be permissible under the Liquor Code.

Should you have any other questions and/or issues related to the Liquor Code or the Board's Regulations, please feel free to contact this office directly.

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: Julie Brennan, Legislative Aide to Senator Wozniak
Pennsylvania State Police,
Bureau of Liquor Control Enforcement
Jerry W. Waters, Director of Office of Regulatory Affairs
Valerie Biden, Office of Regulatory Affairs
Tisha Albert, Director, Bureau of Licensing
Jeffrey Lawrence, Assistant Director, Bureau of Licensing

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