

June 26, 2014

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Sean Vandak
Food and Beverage Director
Hartefeld National
1 Hartefeld Drive
Avondale, PA 19311

RE: Self-Serve Keg on Golf Course

Dear Mr. Vandak:

ISSUE: Your e-mail of June 3, 2014 states that you have a client who would like to have a self-serve keg on your golf course. You inquire whether every station needs an attendant.

Records maintained by the Pennsylvania Liquor Control Board (“Board”) indicate that Clubcorp Hartefeld, Inc. holds Privately-Owned Public Golf Course Liquor License No. PGR-332 (LID 66586) for use by it at the premises located at 1 Hartefeld Drive, Avondale, Pennsylvania.

OPINION: Section 4-406(e) of the Liquor Code allows the holder of a restaurant or club license located on a golf course to sell, furnish or give alcoholic beverages, liquor and malt or brewed beverages, on unlicensed portions of the golf course, as long as the alcoholic beverages remain on the golf course, restaurant or club premises. [47 P.S. § 4-406(e), 47 P.S. § 4-442(e)(3)]. A golf course is defined in section 102 of the Liquor Code as “a course having a minimum of nine (9) holes and a total length of twenty-five hundred (2,500) yards.” [40 P.S. § 1-102].

It is not clear from your question whether the licensee or the client would provide the kegs. While there is nothing in the Liquor Code or the Board’s Regulations that prohibits an individual or a group from bringing alcohol into any establishment, whether or not the establishment possesses a license issued by the Board, an individual/group could not charge a fee for the alcohol it provides.

In either case, nothing in the Liquor Code or the Board's Regulations requires the use of an attendant in the circumstances you describe. However, licensees are strictly liable for violations of the Liquor Code and/or Board's Regulations which occur on the golf course, including furnishing alcohol, or permitting alcohol to be furnished, to minors and visibly intoxicated persons. [47 P.S. § 4-493(1)].

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. 14-389