

December 2, 2014

Craig Dooley  
: **Club Bylaw Question**

Dear Mr. Dooley:

ISSUE: This correspondence is in response to your e-mail received November 5, 2014, in which you ask for guidance regarding a disciplinary matter at the fire company where you are a trustee. You explain that a member of your fire company was sent a certified letter advising the member that he or she was the subject of a grievance raised by another member. The member refused to accept the letter and subsequently attempted to enter the bar area of your fire company. When the bartender handed the member a copy of the letter, the member threw it back at the bartender. You ask how to proceed in the matter.

OPINION: Neither the Liquor Code or the Board's Regulation addresses such a matter. Section 5.81 of the Pennsylvania Liquor Control Board's ("Board") Regulations [40 Pa. Code § 5.81] requires a club licensee to adhere to the provisions of its constitution and/or bylaws. Failure to adhere to the constitution and/or bylaws may result in the issuance of a citation by the Pennsylvania State Police, Bureau of Liquor Control Enforcement, the entity that enforces the Liquor Code.

However, the Board is not authorized to interpret specific provisions of the constitution and/or bylaws of individual club licensees, or, as in this case, to determine the best course of action in a club disciplinary matter. You may wish to consult a private attorney regarding your question.

If you have any other questions or concerns regarding the Liquor Code or the Board's Regulations, please do not hesitate to again contact this office.

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. 14-609