

December 30, 2014

Diane C. Howland
Manager
Richard L. Hershey Memorial Home Association
1571 South Main Street
Chambersburg, PA 17201

RE: Placement of PA Lottery Machine on Licensed Premises

Dear Ms. Howland:

ISSUE: This is in response to your letter received in our office on December 10, 2014, in which you request permission to place a Pennsylvania Lottery Machine on your licensed premises.

Pennsylvania Liquor Control Board (“Board”) records indicate that you are the manager/steward of Richard L. Hershey Memorial Home Association, located at 1571 South Main Street, Chambersburg PA 17201-9201, which holds Catering Club Liquor License No. CC-6263 (LID 51605).

OPINION: Section 3.52 of the Board’s Regulations prohibits a licensee from operating or permitting other persons to operate another business on the licensed premises. [40 Pa. Code § 3.52(a), (c)]. In addition, the licensed premises cannot have an inside passage or communication to or with any other business conducted by the licensee or other persons except as approved by the Board. [40 Pa. Code § 3.52(b)]. Traditionally, however, the Board has granted licensees’ requests to sell Pennsylvania lottery tickets on their licensed premises. Therefore, your request to place a Pennsylvania Lottery Machine on your licensed premises is granted

Should you have any other further questions or concerns regarding this matter, please do not hesitate to contact this office.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR

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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. 14-640