

July 9, 2015

Jacktown Ride & Hunt Club  
11369 Center Highway  
North Huntingdon, PA 15642  
**VIA E-MAIL:** [Jacktownrideandhuntclub@comcast.net](mailto:Jacktownrideandhuntclub@comcast.net)

**RE: Smoking Policy**

Dear Jacktown Ride & Hunt Club:

ISSUE: This is in response to your e-mail of June 15, 2015, wherein you inquire about smoking laws applicable to a private club with a catering license. You pose two (2) questions: 1) must the club be non-smoking for the entire day after lunch hours where it is open to the public, and 2) must the club be smoke-free when a member hosts a private event in the upstairs room with non-members in attendance. The club is currently open to the public for lunch Monday through Friday.

Pennsylvania Liquor Control Board (“Board”) records indicate that Jacktown Ride & Hunt Club holds Catering Club Liquor License No. CC-5089 (LID 3815) for use by it at 11369 Center Highway, North Huntingdon, Pennsylvania.

OPINION: Issues related to smoking are controlled by the Clean Indoor Air Act (“CIAA”), which is administered, interpreted and enforced by the Department of Health (“DOH”) and not the Board. Accordingly, the office is unable to provide a definitive response regarding a club’s smoking policy. Your inquiry should be directed to DOH. You may contact DOH by logging on to its public website at [www.health.state.pa.us](http://www.health.state.pa.us). For your additional information, the DOH maintains a CIAA section on its website which includes an “FAQ & Private Club FAQ” section.

Should you have any other questions and/or issues related to the Liquor Code or the Board’s Regulations, please feel free to once 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. 15-283