

July 20, 2015

Nancy
Wildwood Inn
VIA E-MAIL: wildwoodbrenda@gmail.com

RE: Girls' Night Party

Dear Nancy:

ISSUE: This is in response to your e-mail of June 23, 2015, wherein you state that you are affiliated with the Wildwood Inn and would like to hold a “girls’ night” on premises, using the pool room. The event would involve an entity, citing Tupperware as an example, showing products and conducting sales to attendees. You inquire if this is permissible. You also inquire if signs for a DJ or for karaoke can be placed on the front doors or if the signs must be within the building.

Records of the Pennsylvania Liquor Control Board (“Board”) indicate that J. B. Wildwood Inn LLC holds Restaurant Liquor License No. R-17999 (LID 70882) for use by it at 512 South Breezewood Road, Breezewood, Pennsylvania.

OPINION: Please be advised that section 3.52(a) of the Board’s regulations provides that licensees may not permit other persons to operate another business on the licensed premises. [40 Pa. Code § 3.52(a)]. Further, section 3.52(c) of the Board’s Regulations provides that a licensee may not conduct another business on the licensed premises without Board approval. [40 Pa. Code § 3.52(c)].

Accordingly, should the sponsor of the event charge a fee for his/her services or for sales of the products displayed during the event, the event you propose would not, generally, be permissible on your licensed premises. However, this office has held that a one (1)-time event upon a particular licensed premise does not rise to the level of “another business.” Therefore, if the presence of the event upon your licensed premises is a one (1)-time event, it would be permissible for it to occur on the premises and for the host/hostess to collect payment thereupon.

Nancy
July 20, 2015
Page 2

In regard to your inquiry of signage for entertainment, please be advised that there is nothing in the Liquor Code or the Board's Regulations that would prohibit a display in a window/on a door of a sign advertising entertainment.

Should you have any other questions and/or issues related to the Liquor Code or the 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. 15-298