

September 18, 2015

Jack Skudris  
Memorable Affairs, Inc.  
Five Ponds Golf Club  
1225 West Street Road  
Warminster, PA 18974  
**VIA E-MAIL:** [jack@memorableaffairs.com](mailto:jack@memorableaffairs.com)

**RE: Donated Beer at Golf Outings**

Dear Mr. Skudris:

ISSUE: This is in response to your e-mail of August 28, 2015, wherein you state that you have a municipal golf course liquor license. At the course, there are golf outing groups that bring beer donated from local distributors. You inquire if it is lawful for the licensee to allow this practice if there is proof that the beer was from a licensed Pennsylvania distributor.

Records of the Pennsylvania Liquor Control Board (“Board”) indicate Warminster Township holds Municipal Golf Course Liquor License No. GR-22 (LID 5960) for use by it at Warminster’s Five Pond Golf Course at 1225 West Street Road, Warminster, Pennsylvania.

OPINION: There is nothing in the Liquor Code or the Board’s Regulations that prohibits individuals from bringing their own alcohol (“BYOB”) to a licensed establishment. Therefore, a municipal golf course may allow patrons to bring their own alcohol for consumption onto the licensed premises. Licensees may choose to set “house rules” prohibiting patrons from bringing their own alcohol or restricting the manner in which they may do so. It is advisable, as you referenced, for individuals that do bring alcohol on the premises to have the appropriate receipts as evidence that the alcohol was lawfully acquired. As you know, possession of unlawfully acquired alcohol is a violation of the Liquor Code, and licensees can be cited for any violation that occurs on the licensed premises. Please be advised that the licensee remains responsible for ensuring that alcohol is not furnished or given

to minors or visibly intoxicated persons, and failure to do so may result in a citation for violating section 493(1) of the Liquor Code. [47 P.S. § 4-493(1)].

In addition, please note that outside groups would not be permitted to charge a fee of any kind for the alcohol they are providing to golfers participating in the outing, as this could be considered an unlawful sale of alcohol without a license. Any fee assessed to the golfers by the groups would have to be limited to a charge for the outing exclusive of alcohol.

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. 15-407