

October 19, 2016

Mutual Volunteer Fire Company  
Lindsay Coffman, Secretary  
**VIA E-MAIL:** [lyndscoffman@gmail.com](mailto:lyndscoffman@gmail.com)

**RE: Closing of Club**

Dear Ms. Coffman:

ISSUE: This is in response to your e-mail of September 8, 2016, in which you inquire as to the proper method by which to notify social club members of the intent to close the social club. You ask whether sending a certified letter to each social member or hanging a public notification sign is considered to be acceptable.

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Volunteer Firemen’s Association of Mutual holds Club Liquor License No. C-4148 (LID 1907) for the premises located at 214 Mutual Firehall Road, Greensburg, Pennsylvania.

OPINION: There is nothing in the Liquor Code or the PLCB’s Regulations which governs how a licensed club is required to notify members of the club’s closure. The PLCB’s Regulations simply require a club to follow its constitution and bylaws. 40 Pa. Code § 5.81. Therefore, if your club’s constitution or bylaws require that a member be notified of the club’s closure in a particular manner, the club must comply, or risk citation by the Pennsylvania State Police, Bureau of Liquor Control Enforcement, for failure to adhere to the provisions of its constitution and bylaws.

Please also note that a licensee whose licensed establishment is not in operation for fifteen consecutive days shall return the license to the PLCB not later than the expiration of the fifteen-day period. The license will be held in safekeeping for the benefit of the licensee for a period not to exceed two years. If the club licensee fails to reactivate the license and resume operation of the licensed business or to effect a transfer of the license within the two-year period, the club license will be revoked. 40 Pa. Code § 7.31.

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.

Sincerely,

A handwritten signature in cursive script that reads "Rodrigo J. Diaz".

RODRIGO J. DIAZ  
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. 16-415