

January 4, 2019

Jane Watson  
**VIA E-MAIL**

**RE: Public Venue License Hours**

Dear Ms. Watson:

ISSUE: This office is in receipt of your e-mail dated November 6, 2018, wherein you ask for guidance on when a public venue licensee may sell alcohol. In a follow-up telephone conversation on January 2, 2019, you clarified that the public venue licensee wants to sell alcohol for one and one-half hours before each game, during the first half of the game, and during half-time of each game, but will not sell alcohol during the second half of the game or after the game.

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Aramark Educational Services LLC holds Public Venue Restaurant License No. PV-39514 (LID 90725) for the premises located at 1900 West Olney Avenue, Philadelphia, Pennsylvania.

OPINION: Initially, because you are involved in a highly-regulated industry, it is recommended that you consult private counsel experienced in Pennsylvania liquor law.

As you seem to be aware, a public venue licensee may sell alcohol only one hour before, during and one hour after any athletic performance, performing arts event, trade show, convention, banquet, or any other performance at the facility. Sales may not be made from 2:00 a.m. to 7:00 a.m. 47 P.S. § 4-412(f)(1). Therefore, a public venue licensee would not be able to sell alcohol one and one-half hours in advance of an athletic performance and is only permitted to sell alcohol one hour in advance of an athletic performance in accordance with the statute. Please note that the PLCB does not have discretion to grant an exception to this statutory requirement.

Please do not hesitate to contact this office should you have additional questions.

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, appearing to read "Rodrigo J. Diaz".

RODRIGO J. DIAZ  
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement  
Tisha Albert, Director, Office of Regulatory Affairs  
B.L. Peifer, Director, Bureau of Licensing

LCB Advisory Opinion No. 18-483