

October 16, 1998

Jerlyn Black

Director of Sales & Catering

Country Club & Resorts of Hershey

1000 East Derry Rd.

Hershey, PA 17033

Dear Mr. Black:

ISSUE: This correspondence is in response to your request for a legal opinion concerning your emerald, diamond, ruby and sapphire meal packages. You requested an interpretation of the legality of these catered packages to be offered to your clientele in light of the change to the PLCB regulation section 13.102.

OPINION: Section 13.102 provides licensees with the ability to serve an unlimited amount of alcoholic beverages for a fixed price for catered events that have been arranged at least 24 hours in advance of the event. A catered event has been further defined as a prearranged event with a specified number of people comprising a group which has rented a portion of the licensed premises for a function.

As you noted in your correspondence, the Board's regulations have been amended to remove the exception to section 13.102 known as the 'meal package' exception. For this reason, it is no longer permissible to serve an unlimited amount of alcoholic beverages for a fixed price. Entry to such events may not be purchased at the door by the general public.

For this reason, assuming all of the events/packages you have attached are arranged at least 24 hours in advance of the event and constitute a catered event as defined above, these packages would comply with all applicable liquor laws.

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: Bureau of Liquor Control Enforcement,

Pennsylvania State Police

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Advisory Opinion No. 98-335