

November 10, 1998

Christopher W. Katona  
General Manager  
The Doylestown Inn  
18 West State Street  
Doylestown, PA 18901

**RE: Serving Alcoholic Beverages in Hotel Rooms**

Dear Mr. Katona:

**ISSUE:** This is in response to your facsimile of November 4, 1998 to this office wherein you request a legal opinion as to the permissibility of serving alcoholic beverages to your guests in their hotel rooms.

**OPINION:** Please be advised that the Liquor Code states, 'Every hotel, restaurant or club liquor license may sell liquor and malt or brewed beverages by the glass, open bottle or other container, and in any mixture, for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons, . . . and in the case of hotels, to guests, and in the case of clubs, to members, in their **private** rooms in the hotel or club.' [47 P.S. Section 4-406(a)(1)].

Although you may serve alcoholic beverages to guests in their rooms, you are cautioned that the Liquor Code deems it unlawful to sell, furnish or give any liquor or malt or brewed beverages, or to permit any liquor or malt or brewed beverages to be sold, furnished or given to any visibly intoxicated person or any minor (person under the age of 21). [47 P.S. Section 4-493(1)].

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  
Robert P. Kaskiel

Refer to: (717) 783-9454  
Fax: (717) 787-8820

Advisory Opinion No. 98-369