

December 11, 1998

Joseph W. Rogal

380 Beaver Street

Hastings, PA 16646-0538

Dear Mr. Rogal:

ISSUE: In your letter dated November 16, 1998, you ask whether a V.F.W. may permit individuals involved in a dart or pool league to come onto its licensed premises and utilize the facilities during league events. You also ask whether there is any difference if the V.F.W. organization has a regular club license or a catering club license and whether it is held by the V.F.W. or a home association.

OPINION: Generally, section 5.32(e)(3) of the Board's Regulations permits a club licensee to conduct events on the licensed premises by groups constituting a league such as those you have described. [40 Pa. Code Section 5.32(e)(3)]. Club licensees may only sell alcoholic beverages to members of the club under the Liquor Code. [47 P.S. Section 4-406(a)(1)]. If the license is a catering club license, the club may furnish liquor or malt or brewed beverages to serve with the food for groups of non-members using the facilities of the club if they have arranged the event twenty-four hours or more in advance and the non-members have paid for use of the club. [40 Pa. Code Section 5.83]. Also, be advised that a V.F.W. may sell to members of another V.F.W. if both clubs are chartered by the same state or national organization under section 406 of the Liquor Code.

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

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cc: Pennsylvania State Police-

Bureau of Liquor Control Enforcement

LCB Advisory Opinion No. 98-403