

July 21, 1999

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Morton Siegel, Esquire  
444 North Michigan Avenue  
Suite 2600  
Chicago, Illinois 60611

**RE: Permissibility of Hotel Corkage Fee**

Dear Mr. Siegel:

ISSUE: This is in response to your July 12, 1999 letter in which you inquired whether a hotel liquor licensee may charge its patrons corkage fees when they bring their own alcohol to an event. You also inquire whether corkage fees may be 'per bottle' or 'per case'. In the letter, you similarly asked whether your hotel can charge a bartending fee at events held on its licensed premises. Finally, you asked that we make reference to any specific statutes or regulations dealing with this subject.

OPINION: The Liquor Code and the Board's Regulations are silent on the issue of corkage fees or bartending fees for events held at the licensed premises. Therefore, a reasonable corkage fee or bartending fee is permissible.

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

Advisory Opinion No. 99-266