

August 19, 1999

Telephone: 717-783-9454
FAX: 717-787-8820

Stephen D. Tiley, Esquire
FREY & TILEY
5 S. Hanover St.
Carlisle, PA 17013

Re: H & D Management Corp., t/a Quality Inn

Dear Mr. Tiley:

ISSUE: This is in response to your letter of July 8, 1999 in which you request our opinion concerning your client, H & D Management Corp., t/a Quality Inn, holder of hotel liquor license H-5468. The licensee plans to hold a benefit reception for the Greater Carlisle Area Chamber of Commerce, which would take place at the motel. During the reception, you plan to serve alcoholic beverages in the reception area, which consists of a meeting room near the lobby of the motel used by the Cumberland County Visitors Center, and certain nearby hallways. You do not charge the Chamber of Commerce and the Chamber does not charge its guests. Your question concerns whether you need an extension of premises to conduct the event. You also ask if the hallways are covered under your license, so that a guest could step into the hall in order to receive a purchased alcoholic beverage brought to his or her door.

OPINION: Your client does not need an extension of premises to hold the event as described. After consulting with the Bureau of Licensing and reviewing the floor plan of the motel, it appears that the lobby area, which includes the meeting room/visitors center, is already covered under the license. Hallways of hotel licensees are also considered to be covered under the license, whether specified or not, for the reason that you mention, i.e., the transportation of alcoholic beverages from one area to another area, such as guestrooms. Therefore, an extension of premises is unnecessary. You should advise your client, however, that as a licensee, it is limited to providing to its patrons one free, standard-sized alcoholic beverage per adult guest per event, so a reception offering several hours of free alcoholic beverages, for example, would be unlawful. If the alcohol is sold, of course, it would be subject to the regular rules concerning sales.

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

LCB Advisory Opinion No. 99-297