

October 19, 1999 Telephone: 717-783-9454  
FAX: 717-787-8820

Fred O'Rourke, President

Heidelberg Country Club

Frankstown Road

R. D. 2, Box 763

Altoona, PA 16601

Dear Mr. O'Rourke:

ISSUE: This is in response to your September 27, 1999 fax to this office which you had sent on behalf of the Heidelberg Country Club, holder of catering club liquor license No. CC-2725. In your letter, you indicated that the club is to revise its bylaws dealing with the grievance procedure used by your club. Currently, grievances are primarily dealt with by the grievance committee. You would like to amend your bylaws to eliminate the grievance committee and have grievances heard by the board that runs your club. You inquired whether this type of change is permissible under the Liquor Code.

OPINION: The Liquor Code generally allows club licensees to manage internal affairs in a manner in which they see fit. The only requirement imposed by the Liquor Code is that club licensees act in a lawful manner, i.e. no bylaws allowing sales to minors, and that the club follow whatever bylaws it has established. Therefore, so long as you amend your bylaws in the manner set forth by your bylaws, such a change would be permissible under 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  
Chief Counsel

c.c. Pennsylvania State Police  
Bureau of Liquor Control Enforcement

LCB Advisory Opinion No. 99-348