



March 22, 2017

Dennis Heggenstaller
VIA E-MAIL: dennishegg@papull.com

RE: Club Applications Off Premises

Dear Mr. Heggenstaller:

This correspondence is in response to your e-mail dated February 10, 2017, wherein you ask if it is permissible to have a blank application for club membership outside the premises of the club.

Initially, please be advised that it is the Pennsylvania State Police, Bureau of Liquor Control Enforcement ("BLCE"), and not the Pennsylvania Liquor Control Board ("PLCB"), that enforces the liquor laws in Pennsylvania. This office is authorized to issue legal opinions to licensees of the PLCB which are binding on the BLCE. Since there is insufficient information in your letter to determine if you are a licensee or an officer of a licensee, the following is offered for your guidance and information only.

Section 102 of the Liquor Code, 47 P.S. § 1-102, provides that a club must "admit members by written application, investigation and ballot, and charge and collect dues from elected members." Section 102 does not specify the manner in which applications are made available or the manner in which the application may be submitted. However, the PLCB's Regulations require that a club adhere to the provisions of its constitution and bylaws. 40 Pa. Code § 5.81. Therefore, if the provisions of your club's constitution or bylaws prohibit you from making your applications available off the premises or online, then you would not be permitted to do so.

Should you have any other questions related to the Liquor Code or the PLCB's Regulations, please feel free to once again contact this office.

Sincerely,

RODRIGO J. DIAZ
CHIEF COUNSEL

By:


ALEXANDER R. HALLMAN
ASSISTANT COUNSEL

Chief Counsel

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