



NEW GUIDANCE FOR GOLF COURSES DURING COVID-19 (APRIL 30, 2020)

On March 18, 2020, the Pennsylvania Liquor Control Board issued Advisory Notice No. 26, which provided guidance to licensees as to what type of activities were permissible during the state of emergency announced by Governor Wolf in response to the COVID-19 public health crisis. Generally, that guidance included direction to all licensees that allowing on-premises consumption of alcohol and/or food could result in the suspension of their liquor license. Sales of alcohol and food for off-premises consumption were permitted for those licensees whose licenses authorized such sales.

On March 19, 2020, the Governor ordered all non-life-sustaining businesses, such as golf courses, to close.

On April 27, 2020, the Governor announced that, effective May 1, certain businesses that provide for outdoor activities, such as golf courses and marinas, could reopen.

Consistent with the Governor's announcement, the following is offered as guidance for those restaurant, retail dispenser, club and catering club licenses that are located on golf courses:

Restaurant Licensees and Wine Expanded Permit Holders:

- Restaurant liquor license holders may sell beer, wine and liquor for consumption on the golf course regardless of whether all, some or none of the course is licensed. This is true regardless of whether the license in question is a restaurant liquor license that is subject to the county quota (an "R" license) or the license in question is a restaurant license that was issued outside the quota under an exception provided to those applicants that operate a golf course (a "PGR" or "GR" license).
- Restaurant liquor license holders may sell beer for off premises consumption in the same manner that they did prior to March 18th, i.e., in sales of not more than 192 ounces at a time.
- Holders of wine expanded permits (WEPs) may sell wine for off premises consumption in the same manner that they did prior to March 18th, i.e., in sales of not more than 3 liters at a time.
- Sales of food and alcohol for consumption within the restaurant facilities (or any seating areas immediately adjacent to the facilities, such as patios), including any permanent secondary facilities, remain prohibited.

Eating Place Retail Dispenser Licensees:

- Eating Place Retail Dispenser license holders may sell beer for consumption on the golf course regardless of whether all, some or none of the course is licensed. This is true regardless of whether the license in question is an Eating Place Retail Dispenser license that is subject to the county quota (an "E" license) or the license in question is an Eating Place Retail Dispenser license that was issued outside the quota under an exception provided to those applicants that operate a golf course (a "PGE" or "GE" license).

- Eating Place Retail Dispenser license holders may sell beer for off premises consumption in the same manner that they did prior to March 18th, i.e., in sales of not more than 192 ounces at a time.
- Sales of food and beer for consumption within the eating facilities (or any seating areas immediately adjacent to the facilities, such as patios), including any permanent secondary facilities, remain prohibited.

Club and Catering Club Licensees:

- Club and catering club license holders may sell beer, wine and liquor for consumption on the golf course regardless of whether all, some or none of the course is licensed. This is true regardless of whether the license in question is a club or catering club liquor license that is subject to the county quota (a “C” or “CC” license) or the license in question is a club or catering club license that was issued outside the quota under an exception provided to those applicants that operate a golf course (a “PGC” or “GCC” license).
- Sales of food and alcohol for consumption within the eating facilities (or any seating areas immediately adjacent to the facilities, such as patios), including any permanent secondary facilities (such as a halfway house), remain prohibited.
- The prohibition on a club or catering club selling alcohol for off premises consumption (except for consumption on the golf course, as set forth above), remains.
- Clubs and catering clubs that have a beer only license (an “O” license) may sell beer for consumption on the golf course regardless of whether all, some or none of the course is licensed.
- Sales of food and beer for consumption within the eating facilities (or any seating areas immediately adjacent to the facilities, such as patios), including any permanent secondary facilities (such as a halfway house), remain prohibited.
- The prohibition on a club or catering club with a beer only license selling beer for off premises consumption (except for consumption on the golf course, as set forth above), remains.

Please note that activity normally associated with golfing, such as the use of caddies, carts or starters, is permissible so long as it does not violate the Governor’s order or is otherwise unlawful.

NOTE: Understanding that golf course licensees will be looking to restock the wines and spirits they sell to customers, the PLCB will soon issue guidance regarding fulfilling licensee orders.

If you have any questions, they may be directed to the Chief Counsel’s office set forth below:

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