Welcome to the Washington State Liquor Control Board (WSLCB) Licensing Briefing

At the WSLCB, our most important task is to create a cooperative relationship with you through education. The WSLCB wants to help you succeed in liquor law compliance and assist with public safety in your communities.

Specific Class of License

Spirits/Beer/Wine Restaurant

Spirits/beer/wine is to sell/serve spirituous liquor (by the individual drink), beer and wine on the licensed premises.

The sale of liquor is incidental to the service of foods.

No alcohol can be sold to go from the premises, except bottles of wine with the restaurant's label and kegs.

WAC 314-02-015 RCW 66.24.400

Public Safety

Public safety is our common goal. Four public safety issues that are very important are:

- **Minors**
  - Selling or furnishing tobacco to a minor (under age 18)
  - Selling, furnishing, allowing possession or consumption of alcohol by a minor (under age 21)
  - Allowing minor(s) to frequent an age restricted area or premises
- **Over service**
  - Sales to apparently intoxicated persons
  - Allowing possession of alcohol by apparently intoxicated persons
  - Allowing consumption of alcohol by apparently intoxicated persons
- **Disorderly Conduct**
  - Allowing fights/not calling police
  - Owners or employees intoxicated on premises
- **Violations of RCW 69, 69A or 70** – Criminal conduct of owner, employees and/or patrons

Statistics Show

The most common violations and complaints involve:

- Sales of liquor to apparently intoxicated persons
- Sales of liquor to persons under 21 years of age

Violations of Public Safety

- If you violate public safety laws or rules, administrative action may be taken against your liquor license. Administrative action could result in a monetary penalty, suspension, or cancellation of your liquor license privileges.

- BE SAFE. Please make sure that your staff is trained in liquor laws and company policy.

New Licensee Program

The WSLCB developed this program to provide technical assistance shortly after you receive your new license.

WSLCB officers will visit your premises to:

- Check your required signs
- Answer any questions
- Provide materials
- Review operations, especially those involving public safety

Sales to Apparently Intoxicated Persons

A licensee or employee may not supply liquor to any person apparently under the influence of liquor. A licensee or employee may not allow an apparently intoxicated person to possess or consume liquor on the licensed premises.

RCW 66.44.200

WAC 314-16-150

Over Service

***Over service* (OS) is the term used when patrons are showing apparent signs of intoxication <u>and</u> any of the following:**

- In possession of alcohol
- Being sold or given alcohol by your employees
- Consuming alcohol

What to do?

If a person is showing signs of intoxication how do you and your employees respond?

Your company policy needs to be clear and concise on how to handle the situation.

Under Washington State law you must remove the alcohol from the patron and refuse further service of alcohol.

Once the Patron is Cut Off, What's Next?

Your company policy should tell your employees what to do.

- Who should remove the alcohol from the patron?
- How do you cut someone off of service?
- Does the patron get their money back?
- Should the person stay in your premises?
- Who is responsible to get them home safely?

DUI Statistics

- Every person that is arrested in the State of Washington for DUI is asked to blow into a breathalyzer machine.
- When a person takes the breath test they are asked where they consumed their last drink.

REPORT DATE: 2/10/05

DUI INCIDENT REPORT
(BAC VALUE OF 080 OR ABOVE)
REGION # 4

E/O	LICENSE NUMBER	TRADE NAME	DUI DATE	DUI TIME	BAC
4G	357761	BUZZ INN STEAK HOUSE	*02/06/2005	0222	149
			10/07/2004	0036	220
			03/06/2004	0027	140
			BAC AVERAGE:		169
4G	368479	DEL RED PUB	*01/13/2005	2103	130
			08/20/2004	0225	220
			08/15/2004	0127	116
			02/22/2004	0049	112
			BAC AVERAGE:		144
4H	350963	THE IGLOO	*01/13/2005	2202	167
			06/27/2004	2253	306
			05/27/2004	2040	217
			BAC AVERAGE:		230
4J	071403	OUT AND ABOUT	*01/29/2005	0245	161
			11/27/2004	0205	207
			11/10/2004	0302	086
			09/30/2004	0252	176
			09/27/2004	0037	232
			09/04/2004	0212	103
			06/19/2004	0220	163
			05/29/2004	0214	139
			04/24/2004	0140	172
			03/07/2004	0336	136
			BAC AVERAGE:		157
4J	081946	MAGANA'S GOLDEN NUGGET	*01/21/2005	0114	102
			11/22/2004	0209	083
			04/19/2004	0231	203
			BAC AVERAGE:		129
4J	355558	SNEAKERS IRISH PUB	*01/04/2005	0116	167
			05/01/2004	0109	143
			BAC AVERAGE:		155
4J	358038	HYPNOTIQ BAR & GRILL	*01/08/2005	0207	123
			BAC AVERAGE:		123
4K	083448	THE JUNGLE	*02/06/2005	0310	093
			*01/15/2005	0154	121
			12/19/2004	0211	190
			12/18/2004	0221	144
			12/18/2004	2318	092

*DENOTES CURRENT REPORTING PERIOD

DUI Statistics

- The police officer puts a code into the breathalyzer that identifies the location.
- Information from the breathalyzer is collected by the Washington State Patrol and forwarded to the WSLCB.

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*DENOTES CURRENT REPORTING PERIOD

DUI Statistics

- No violations are generated off the DUI statistics alone.
- The information generated by the breath tests is for informational purposes only.
- The WSLCB considers the statistics as indicators that there might be adjustments that could be made to eliminate potential problems.

Intoxicated Drivers Leaving Licensed Premises

Studies show approximately 50% of intoxicated drivers come from licensed establishments.

Source: Mosher, James

MINOR RESTRICTIONS AND AGE VERIFICATION

Sales to Minors

- No sales of alcohol to persons under 21 years of age.

Keep alcohol out of the hands of kids – It saves lives!

- No sales of Tobacco to persons under 18 years of age.

RCW 66.44.270

WAC 314-11-025

Minors and Alcohol

No Exceptions!

Persons under 21 years of age can't purchase, possess, or consume alcohol on your premises.

You and your employees must make sure that anyone that is buying, possessing or consuming alcohol is 21 years of age or older.

RCW 66.44.270

Youth Access to Alcohol

More than 90% of twelfth graders report that alcohol is “very easy” or “fairly easy” to get.

Don’t be an easy target for minors!

Source: Institute of Medicine National Research Council of National Academies

Minor Frequenting

- If your premises has a WSLCB age restricted area, no one under 21 years of age is allowed to frequent that area, 24 hours a day.
- Exception - Employees 18-20 years of age can go into the restricted area to complete their duties. No one under 21 can be assigned to work exclusively in the restricted area. Employees can place orders and pick up drinks for service outside the restricted area, clean up, set up, and arrange tables; deliver messages; serve food and seat patrons.

  RCW 66.44.310 and RCW 66.44.350

Company Policy on Age Verification:

- Your company policy will dictate the success of your business.
- Your company policy should direct your employees how and when to verify age.
- The only sensible way to identify minors is to check ID of youthful appearing people each and every time.

Checking ID

- To verify a person's age, your company policy should direct your employees to check ID.

  You should be very strict on this policy!

- When company policy directs an employee to check ID, only state approved ID's are acceptable.

Checking ID

These are the only state approved acceptable ID's. You may restrict this list, but may not accept additional forms of ID.

- Drivers License, ID card, or Instruction Permit issued by any state or Canadian Province
- Valid Washington Temporary Driver's License
- US Military ID
- Merchant Marine ID
- Official Passport of any nation
- Washington State Tribal Enrollment Card

ACCEPTABLE IDENTIFICATION

Identification MUST Show:
Date of Birth, Signature (except US Military ID – see below), Photograph of Bearer and ID Expiration Date

1. Driver's License, Instruction Permit, or I.D. Card Issued by any U.S. State
2. Driver's License, Instruction Permit, or I.D. Card Issued by any Canadian Province
3. Valid Washington State Temporary Driver's License
4. U.S. Armed Forces I.D. Card (Encrypted signature acceptable.)
5. Merchant Marine I.D. Card (Issued by U.S. Coast Guard.)
6. Official Passport
7. Washington State Tribal Enrollment Card (No expiration date required.)

LIQ 317-60-7/05

Requirements for All ID's

- Photo of person
- Date of birth (DOB)
- Signature of person (exception: Military ID)
- Expiration date - Documents are not required to have an expiration date; if the identification does have an expiration date it must not be expired.

RCW 66.16.040

Proper ID Checking

- What does your company policy say about the proper way to check an ID?
- What is the best way to check an ID?
- To check an ID properly employees must use the features of the ID.

Licensee Certification Cards

A licensee certification card is a voluntary tool that is available for your business. If a customer comes into the premises and presents an acceptable ID, showing them to be over 21, but you have doubts, a certification card can be used.

- You can get the cards at local liquor stores or agencies – free.
- When correctly completed, they provide legal protection from criminal and administrative liability for the seller and licensee.
- If you fill one out, file it alphabetically, and keep it on your premises for inspection by any requesting law enforcement officer.

RCW 66.20.190
WAC 314-11-030

To Use Licensee Certification Cards

Front side

- Check box 1-6 for type of ID presented.
- Fill out ID number and request information.
- Employee fills out the top portion.

LICENSEE'S CERTIFICATION CARD
Provided by RCW 66.20.190
of the Washington State Liquor Act.

As proof of my age to purchase liquor I present for examination an identification card issued to me by:

1. Driver's License. ☐ Instruction Permit. ☐ Expired Washington State Driver's License Together with Valid Temporary Washington State Driver's License ☐
   Issuing State or Province of Canada _____; Number: _____
2. **United States Armed Forces** Identification Card. ☐
   Issuing Service: _____; Card or Service Number: _____
3. Merchant Marine I.D. Card Issued by United States Coast Guard. ☐ Social Security No. _____
4. Liquor Control Authority Card of Identification. ☐
   Issuing State or Province of Canada _____; Card Number: _____
5. Washington State Department of Licensing Identification Card or Identification Card issued by any State or Province of Canada. ☐
   Issuing State or Province _____; Number: _____
6. Passport. ☐
   Issuing Country: _____; Number: _____

I understand that pursuant to the provisions of RCW 66.20.200, I am subject to a fine of not less than $250 nor more than $1,000; or not less than 25 hours of community service; or imprisonment for up to 90 days; or any combination of the penalties for any false statement made on this card. I do hereby certify that I am of legal age to purchase liquor and that the card of identification as described above is bona fide and was issued to me by an authorized official.

_____ Print Name

_____ Signature

Date and time _____

_____ Address

LIQ 579-60 (11/96) (Over)

Person presenting the ID fills out the bottom portion and signs name

Employee checks the signature on the card of identification with the signature on the certification card.

To Use Licensee Certification Cards

Rear side

INSTRUCTIONS TO LICENSEES

Under the provisions of RCW 66.20.180 a retail licensee has the right and responsibility, before serving, to require persons of questionable age and appearance to prove they are of legal age to purchase liquor.

To obtain the protection afforded by RCW 66.20.210, you must require the person presenting this card of identification to complete the reverse side of this card. You **must** also complete the certification below.

The card must be officially issued, show the person's correct age, and bear his/her signature and photograph. By law the only acceptable cards of identification are: 1. Driver's License or Instruction Permit issued by any State or Province of Canada. 2. United States Armed Forces ID Card, active duty, reserve, retired and dependents. 3. Merchant Marine ID Card issued by the United States Coast Guard. 4. Official Card of Identification issued by the Liquor Control Authority of any State or Province of Canada. 5. Identification Card issued by the Washington State Department of Licensing or Identification Card issued by any State or Province of Canada. 6. Official Passport issued by any Nation. An expired Washington State Driver's License together with valid temporary Washington State Driver's License is considered an acceptable Washington driver's license.

WASHINGTON STATE LIQUOR CONTROL BOARD

LICENSEE'S OR EMPLOYEE'S CERTIFICATION

I hereby certify that the card of identification submitted was examined by me and I have checked the date of birth, and compared the photograph thereon with the person presenting said card. I have compared the signature on this card with that on the card of identification, and I am satisfied that the card properly belongs and relates to the person presenting it.

_____ (To be signed by person who has checked card of identification)

_____ Print Name

Date of birth shown on card of identification: _____ **Time:** _____ **Date:** _____

WARNING: File this card on the premises on the day it is signed as prescribed by RCW 66.20.190.

LIQ 579-80 (11/98) (Back)

Employee

1. Print and sign name.
2. Print DOB from ID presented.
3. Print time and date.

Compliance Checks

- Compliance checks are completed to determine that public safety is not being compromised.

- WSLCB, Police Departments and Health Departments can all perform compliance checks at your premises.

Compliance Checks

- The minor operatives do not look overly mature for their age.
- The minor operatives do not show fake or altered IDs. They may present their real ID or none at all.
- The minor, if asked, may say they are 21.

Age 16

Private Compliance Checks

You may conduct your own compliance checks to ensure your employees are following the law.

- **You must receive prior written approval from the WSLCB.**
- You can use employees that you hire or you can contract with a third party that conducts the compliance checks.
- If your employees sell during a private compliance check, you can not fire them on the first buy.
- For more information on a sample policy contact either the Restaurant Association at 1-800-225-7166 or your local Enforcement Office.

WAC 314-21

Compliance Check Rates

Through education, voluntary compliance by retailers, and partnerships with law enforcement, our state compliance rate in 2007 was:

Liquor Laws	79%
Tobacco Laws	87%

Licensed Business Open to Inspection

Your licensed premises is open to inspection by WSLCB or local law enforcement anytime someone is in the premises.

RCW 66.28.090

WAC 314-11-090

Hours of Operation

The law allows liquor to be sold, served, and consumed between 6 am and 2 am, seven days a week.

After 2 am no one may possess, consume or be served alcohol at a licensed premises. Alcohol can not leave the premises.

Employees can clean up after 2 am.

Local governments may pass ordinances establishing earlier closing hours.

WAC 314-11-070

Record Keeping

All Licensees are required to keep records that clearly reflect all financial transactions and the financial condition of the business for two years.

What to keep

- Purchase invoices
- Bank statements and cancelled checks
- Accounting and tax records
- Records of all financial transactions related to the licensed business

WAC 314-11-095

Authorized Sources to Purchase Alcohol Inventory

Where to purchase?

Spirits/Beer/Wine Restaurants: Spirits purchased from assigned liquor store; Beer/Wine from licensed distributors, or domestic Washington breweries or wineries

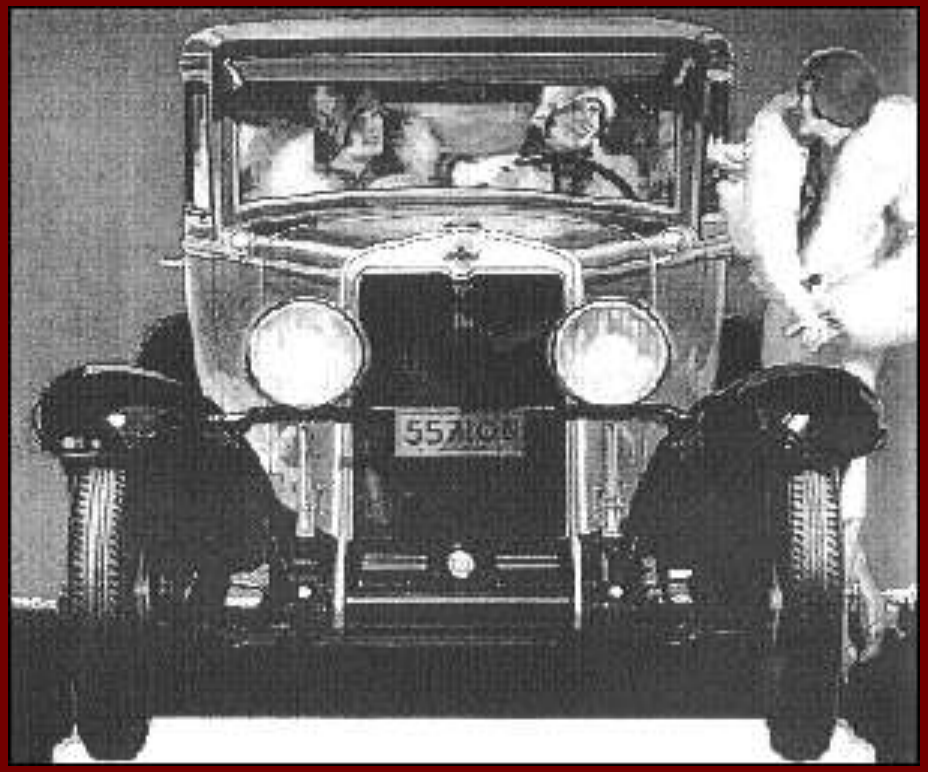
You can not purchase liquor at any retail premises. No liquor can come onto your premises unless it was purchased from an authorized wholesale source within the state of Washington.

Exception: Alcohol brought into the premises with a Banquet Permit, Special Occasion License or wine for consumption with a meal.

WAC 314-16-110 and WAC 314-16-160

Drive-In and Curb Service Prohibited

You may not sell or serve liquor to customers by means of “drive-in” or “curb service”, which includes drive through windows.



WAC 314-11-015

True Party of Interest

Any person that has substantial interest in the licensed premises must be on the license. A substantial interest includes any of the following:

- Receipt of, or right to receive, more than 10% of gross sales or net sales of any kind from the premises
- An investment in licensed premises of at least $10,000
- Ownership of issued or outstanding stock in the business constituting more than10%

WAC 314-07-080 WAC 314-12-030 WAC 314-07-035

Retail / Non-retail Relationships

When you do business with a beer / wine distributor these rules apply:

- All purchases must be paid for at the time of delivery.
- The distributors can bring the alcohol into your premises, stock the cooler and price the product.
- You can receive point of sale items for free. These items are posters, neon lights, and other items without value other than advertising.

Retail / Non-retail Relationships

- You can not receive equipment free from the distributors. Items like coolers, dispensing equipment and lights must be paid for at fair market value. They can not rent or lend any equipment, fixtures or property of any kind to you and vice versa.
- You must pay for any items that have a value or use, other than brand advertising. These items include items like coats, hats, napkins, coasters and glasses.

RCW 66.28.010 WAC 314-12-140

Retail / Non-retail Relationships

Methods of Payments

- Cash or checks
- Prepaid accounts. Both parties must keep accurate records of prepaid accounts to ensure a cash deposit is not overextended.
- Credit/debit cards and electronic funds transfer (EFT); the transaction must be voluntary with both parties. The sale must be initiated by an irrevocable invoice. Each party pays their banking costs. Both parties must maintain records of the transaction. The transaction must be initiated by the manufacturer or distributor no later than the first business day following delivery.

WAC 314-13-015

Sale of Liquor to Cover Cost of Acquisition

- When you sell alcohol, you must charge at least the amount that it costs you to serve it.
- Alcohol can not be used as a loss leader!

WAC 314-52-114

WAC 314-11-085

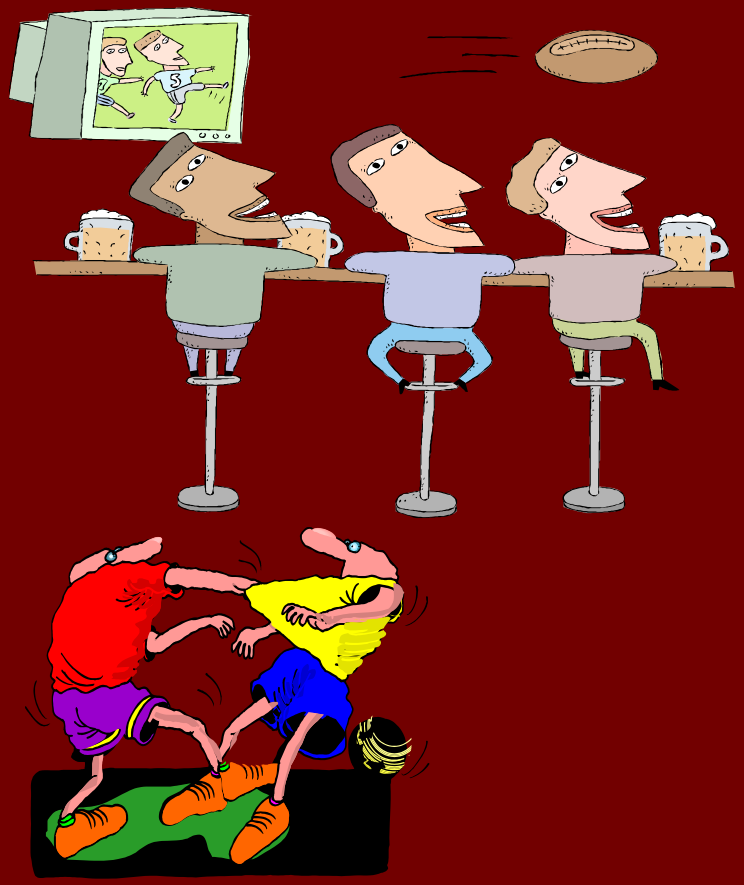
Prohibited Conduct on the Licensed Premises

- **Disorderly -** WAC 314-11-015

  Allowing disorderly conduct, or allowing any disorderly patron to remain, on a licensed premises is prohibited.
- **Lewd Conduct -** WAC 314-11-050

  Male and female dance reviews. Exposure of genitalia, acts of, or simulated sex acts.
- **Illegal Activity -** WAC 314-11-015

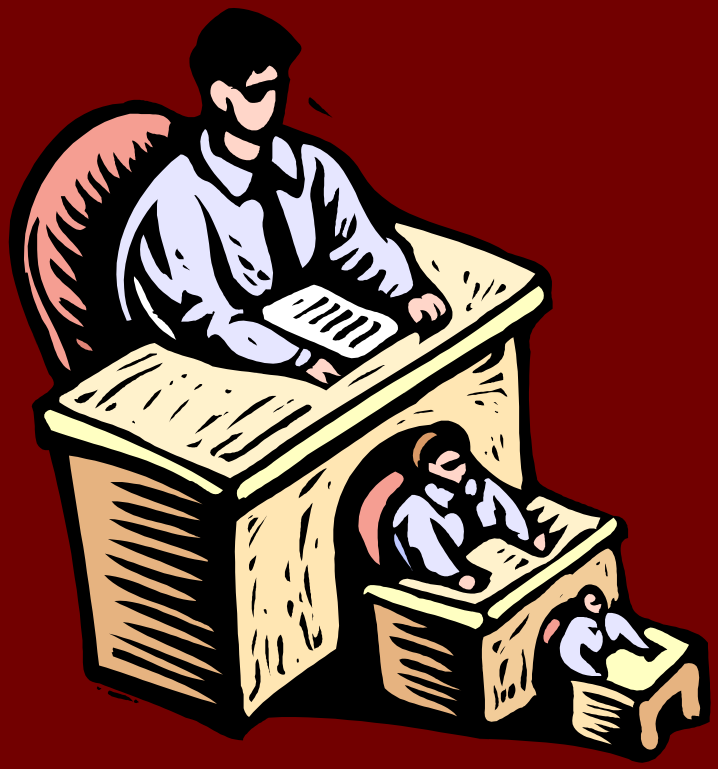
  Violations of RCW 9, 9A and 69.



Licensee Responsible for Acts of Employees

As the owner of the business you are responsible for every activity that occurs. You do not have to be present when a problem occurs to be responsible!

TRAINING, SUPERVISION and GOOD company policies are the keys. Give your employees the chance to succeed.



WAC 314-11-015

No Drinking on Duty by Licensee or Employees

- No licensee or employee may drink alcohol while working. Employees include DJ's, musicians and Karaoke operators.
- **Exception:** Restaurants may conduct courses of instruction on beer/wine and furnish beer/wine samples to employees.
- No employee or owner may be on their licensed premises while showing signs of intoxication, working or not.

WAC 314-11-015 RCW 66.24.400 WAC 314-01-005

Open Container

Any alcohol that is purchased on the licensed premises and opened, can not be removed.

Exceptions:

- A bottle of wine that was purchased with dinner and was not finished
- Any alcohol brought on to the premises under a banquet permit or special occasion license
- With a caterer's endorsement liquor can be removed from the licensed premises to the event site
- Hotel or motel guests may reseal and remove alcohol bought for consumption in their rooms
- Bottles of wine with the Restaurant's label **WAC 314-11-065**

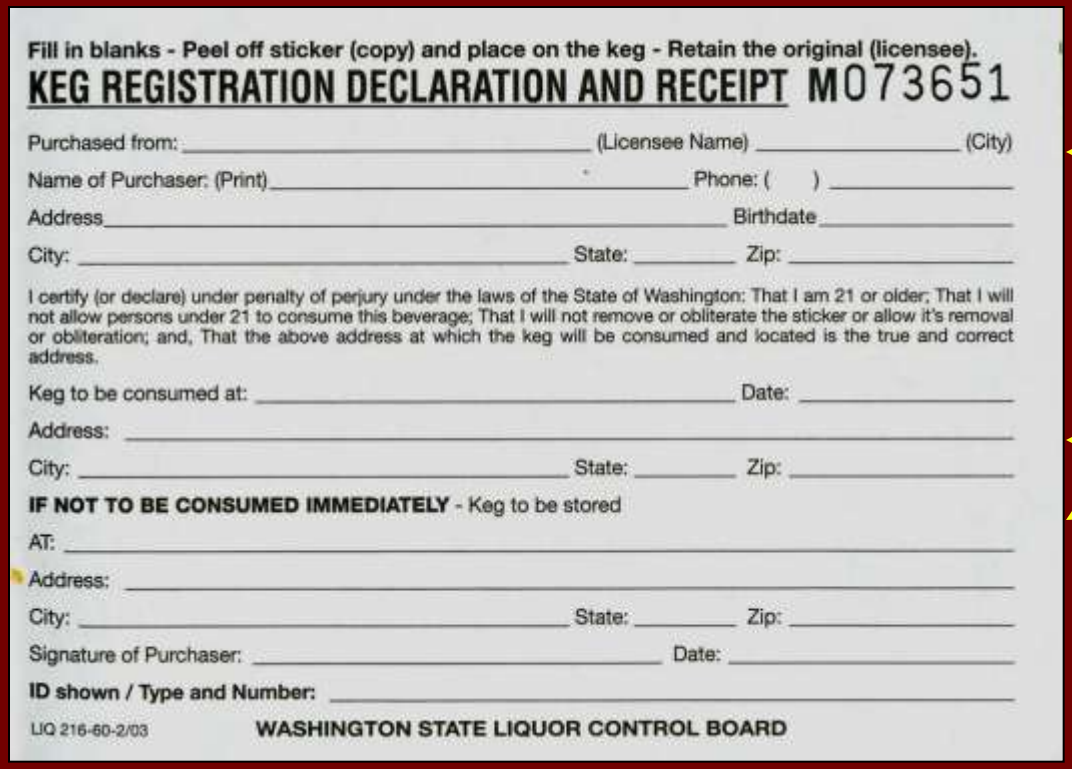
Keg Registration

- Any licensed premises that sells kegs (containers that hold more then 4 gallons) to go must fill out and affix a registration sticker on it prior to the keg leaving the premises. Call your local enforcement office to get more keg registration books.

- Grocery stores must buy the keg registration books from the WSLCB.

RCW 66.28.200
WAC 314-02-115

Keg Registration



Fill in blanks - Peel off sticker (copy) and place on the keg - Retain the original (licensee).

KEG REGISTRATION DECLARATION AND RECEIPT M073651

Purchased from: _____ (Licensee Name) _____ (City)

Name of Purchaser: (Print) _____ Phone: ( ) _____

Address _____ Birthdate _____

City: _____ State: _____ Zip: _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington: That I am 21 or older; That I will not allow persons under 21 to consume this beverage; That I will not remove or obliterate the sticker or allow it's removal or obliteration; and, That the above address at which the keg will be consumed and located is the true and correct address.

Keg to be consumed at: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

IF NOT TO BE CONSUMED IMMEDIATELY - Keg to be stored

AT: _____

Address: _____

City: _____ State: _____ Zip: _____

Signature of Purchaser: _____ Date: _____

ID shown / Type and Number: _____

LIQ 216-60-2/03 **WASHINGTON STATE LIQUOR CONTROL BOARD**

The keg sticker must be filled out completely.

The name of the purchaser, phone number, address, DOB must be completed. NO exceptions.

The section showing where the keg is to be consumed or stored is very important. If this section is not filled out the purchaser of the keg may have legal problems when found with the keg.

Keg Registration

Completing the keg sticker.

- The form must be signed by the purchaser.
- You must record the type of ID used to purchase the keg.

Fill in blanks - Peel off sticker (copy) and place on the keg - Retain the original (licensee).

KEG REGISTRATION DECLARATION AND RECEIPT M073651

Purchased from: _____ (Licensee Name) _____ (City)

Name of Purchaser: (Print) _____ Phone: ( ) _____

Address _____ Birthdate _____

City: _____ State: _____ Zip: _____

I certify (or declare) under penalty of perjury under the laws of the State of Washington: That I am 21 or older; That I will not allow persons under 21 to consume this beverage; That I will not remove or obliterate the sticker or allow it's removal or obliteration; and, That the above address at which the keg will be consumed and located is the true and correct address.

Keg to be consumed at: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

IF NOT TO BE CONSUMED IMMEDIATELY - Keg to be stored

AT: _____

Address: _____

City: _____ State: _____ Zip: _____

Signature of Purchaser: _____ Date: _____

ID shown / Type and Number: _____

LIQ 216-60-2/03 **WASHINGTON STATE LIQUOR CONTROL BOARD**

PEEL HERE TO REMOVE BACKING - APPLY STICKER TO DRY SURFACE

Keep your copies on premises for possible inspection at least one year.

No Substitution of Drinks

- When a customer orders a specific brand of alcoholic drink, you must serve the requested drink. If you do not have the requested brand inform the customer what they will be receiving.

- If a customer is showing signs of intoxication and orders alcohol, do not substitute. Let the customer know that they are getting a non-alcohol beverage.

WAC 314-11-080

Advertising

- Trade Name – WAC 314-52-110

  When you advertise you must include your approved trade name as it appears on your liquor license.

- No Joint Advertising – WAC 314-52-090

  The Beer/Wine Distributors can not induce you to advertise their brands. The Beer/Wine Distributors can not give you money, treats, services, or extra product to cover the cost of advertising.

Lighting

Anywhere in the licensed premises where customers are allowed, you must keep the lights bright enough to be able to read identifications and observe your patrons clearly.

WAC 314-11-055

Mandatory Alcohol Server Training (MAST)

- All employees, owners and managers must have a MAST permit if they pour/serve alcohol.
- Owners and managers that supervise workers that serve alcohol must have a MAST permit.
- When working, all employees, managers and owners will have their MAST permit with them plus an acceptable piece of identification.
- The MAST permit is the property of the employee.
- MAST permits are issued from private companies only.

Call the WSLCB at 360-664-1727 or visit the web site for current providers www.liq.wa.gov.

The permit must be obtained within 60 days of initial employment date.

RCW 66.20.310, WAC 314-17-030

Free WSLCB ID/OS Training Classes Available

The WSLCB can train you and your employees in conducting responsible liquor and tobacco sales. We can train at your location or at our offices. Please contact your local office to make arrangements.

Washington State Liquor Control Board

certifies that John Doe

has successfully completed training on:

- Responsible Liquor Sales

Mark Jansen — Liquor Control Agent

2-28-2005 — Date

LIQ 82-61 (6/96)

The WSLCB ID/OS classes are supplemental training and **do not** substitute for Mandatory Alcohol Server Training (MAST).

Display of License Master License with Liquor Endorsements

Your master license must be displayed on the premises so that it is available for inspection by WSLCB and other law enforcement agencies. Most businesses display the license behind the counter.

RCW 66.24.010

WAC 314-11-060

WAC 314-12-030

Minor Posting Signs Must be Displayed

- If you have an LCB age restricted area in your premises, or your whole premises is age restricted, a Minor Posting sign must be posted at each entrance.

- If you have live entertainment in your premises and you exclude minors, this sign must be up during those times.

Get extra signs from the WSLCB Enforcement Office.

WAC 314-11-060 and RCW 66.44.316

Fetal Alcohol Syndrome (FAS) Signs Required

In your premises this sign must be posted in plain view.

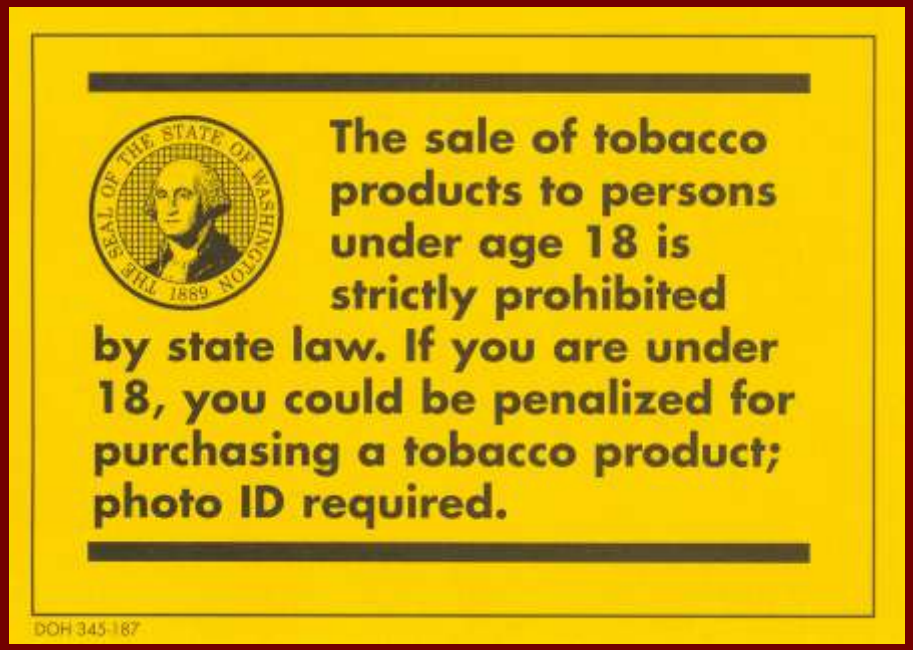
FAS signs it must be posted at the main entrance to the area that alcohol is sold and in the women's restroom.

Get extra signs from the WSLCB Enforcement Office.

WAC 314-11-060

Tobacco Sign Required

- If you are licensed to sell tobacco products you must display this sign at each point of sale.
- If you have a machine dispensing tobacco products this sign must be posted on it. All machines must be in an area restricted from persons under 18. The machines must be over 10 feet from the entrances.
- If you sell cigarettes in a restricted area you still must display this sign.



Get extra signs from the WSLCB Enforcement Office.

RCW 70.155, WAC 314-10-020, WAC 314-11-060

Firearms Sign Required

- This sign must be clearly posted in your lounge or tavern, preferably at the entrance to the age restricted area.

WARNING

NO FIREARMS PERMITTED IN THIS AREA

Washington state law prohibits the carrying or possession of any firearm in this type of liquor licensed establishment, other than by a law enforcement officer. (RCW 9.41.300) (d)

This prohibition also applies to persons who have a concealed weapons permit.

VIOLATORS ARE SUBJECT TO ARREST UNDER CHAPTER 9.41

TYPE II - COCKTAIL LOUNGE & OTHER RESTRICTED AREAS

WAC 314-11-060

Get extra signs from the WSLCB Enforcement Office.

11:00 PM Rule

Spirits/Beer/Wine Restaurants that have live music (including Karaoke), patron dancing, entertainment or contests involving physical participation by patrons in a dining area after 11pm, the licensee must either:

- Request WSLCB approval to reclassify the dining area to a classified area, thus restricting persons under 21 years of age; or

- Notify the licensing division in writing at least 48 hours in advance that the sale, service, and consumption of liquor will end in the dining room after 11 pm.

WAC 314-02-025

LCB Age Restricted Premises
(includes when the 11 pm rule is in effect)

No persons under 21 years old are allowed in your premises at any time, except:

- Persons **18-20 years old** while performing janitorial service during the hours when there is no sale, service or consumption of liquor on the premises.
- Employees **18-20 years old** of amusement device companies for the purpose of installing, maintaining, repairing, or removing any amusement devices.
- Security, law enforcement officers and firefighters **18-20 years old** during the course of their official duties and if they are not the direct employees of the licensee.
- Minor musicians.

RCW 66.44.316

Minor Musicians

Musicians, disc jockeys, and sound or lighting technicians who are **18-20 years of age** and are being paid by the licensee;

- May work in a licensed premises or a portion of a licensed premises that is restricted to persons **21 years of age or older**, under the following conditions:

- The **18-20 year-old** musicians must remain on the stage or bandstand during their performance,

except: (see next slide)

Minor Musicians

(a) Strolling musicians; and

(b) Disc jockeys and sound and lighting technicians may remain in locations as required to actively support the professional musician or disc jockey.

- The **18-20 year-old** musicians may not consume alcohol, and must have acceptable identification available for inspection at all times.

RCW 66.44.316

Minor Musicians

- The **18-20 year-old** musicians are permitted on the licensed premises no more than one hour prior to the start of their performance and not more than one hour after their performance, in order to properly set up and secure their equipment.

- During breaks, the **18-20 year-old** musicians may not remain in an area that is off-limits to persons under twenty-one years of age.

Musicians over 21 years old may consume alcohol on a defined break.

Alterations

Local permit may be required.

WSLCB approval is required for:

- Excluding persons under 21 years of age from a Spirits, Beer, and Wine Restaurant;

- Reclassifying a lounge as open to persons under 21 years of age.

RCW 66.28.080

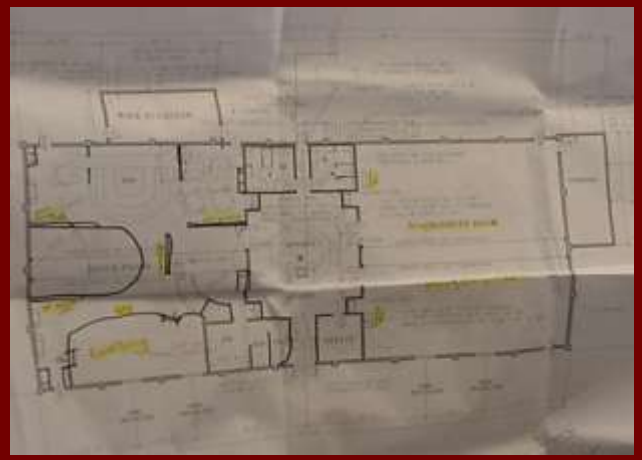
WAC 314-02-130 (Alterations)

Alterations

- Extending the location of alcohol service, such as a beer garden or patio/deck service (areas must be enclosed with a barrier a minimum of forty-two inches in height).
- Storing liquor off of the licensed premises.
- Initiating room service in a hotel or motel when the restaurant is not connected to the hotel or motel, by ownership.
- You may begin liquor service in conjunction with the alteration as soon as approval is received.

Alterations

- Installing a pass-through window for walk-up customers; and
- Using a licensed premises as an access to another business.
- Any alteration that affects the size of a premises' customer service area. For Spirits Beer & Wine licenses, floor plans must be ¼ inch = 1 foot to scale. All floor plans must be submitted to the WSLCB with a letter describing the alterations requested.



Activities

You must notify their local WSLCB Enforcement office in writing at least forty-eight hours before conducting the following activities:

- **Male/female dance reviews,** subject to the provisions of WAC 314-11-050
- **Live boxing or wrestling**;
- **Contests or games** where patrons are part of the entertainment;
- **Hours of operation** between 2 am *and* 6 am for licensees that sell liquor for on-premises consumption.

Changes Requiring WSLCB Approval

- **Sole Proprietors:**

  Changes in marital status must be reported to the WSLCB.

  This does not apply to corporate officers / stockholders.

- **Corporations:**

  If the principal officers of the corporation change.

  Principal officers generally are President, Vice President, Secretary and Treasurer.

  Anytime more than 10% of the outstanding issued stock is sold to a single entity; or an entity gains more than 10% of the issued stock, accumulatively.

  WAC 314-07-080

Changes Requiring WSLCB Approval

- **Change of Location** – When you want to move your business to another location you need to apply to the WSLCB.

  WAC 314-07-085

- **Trade Name** – After you are licensed and want to change your Trade Name you need to apply to the WSLCB.

  WAC 314-07-090

Assumption of License

When you **sell your business** to another person or entity they must apply to the WSLCB for a new license.

No one can operate on your license except you.

This includes if you are a sole proprietor and decide to incorporate, establish a LLC or go into a partnership.

RCW 66.24.025

WAC 314-12-070

Spirits Beer & Wine Restaurants Food Requirements

You must have the full menu with at least four complete meals in your restaurant available at least 5 hours a day between the hours of 11 am to 11 pm, at least 5 days a week.

- On any day that you serve alcohol your restaurant must be open the required 5 hours with full menu.
- The items needed to prepare the full menu must be on the premises in edible condition.

WAC 314-02-035

Food Requirements

- A complete meal is an entrée plus at least **one additional course**.
- An entrée must require the use of a dining implement to eat.
- An entrée does not include hamburgers, sandwiches, salads, or fry orders.
- Complete meals must be prepared on the restaurant premises.
- The **hours of complete menu service** must be conspicuously posted on the premises or on the menu.
- When the full menu in a Spirits/Beer/Wine Restaurant is *not available* then minimum food service must be available at all times that liquor is served.
- Availability of minimum food service must be posted in the area where alcohol is served.
- Minimum food includes sandwiches or short orders which are prepared on your premises.

WAC 314-02-035

Catering Endorsement

Spirits/Beer/Wine Restaurants

Endorsement cost is $350.00.

Allows you to remove alcohol that you have approval to sell on your premises for service at:

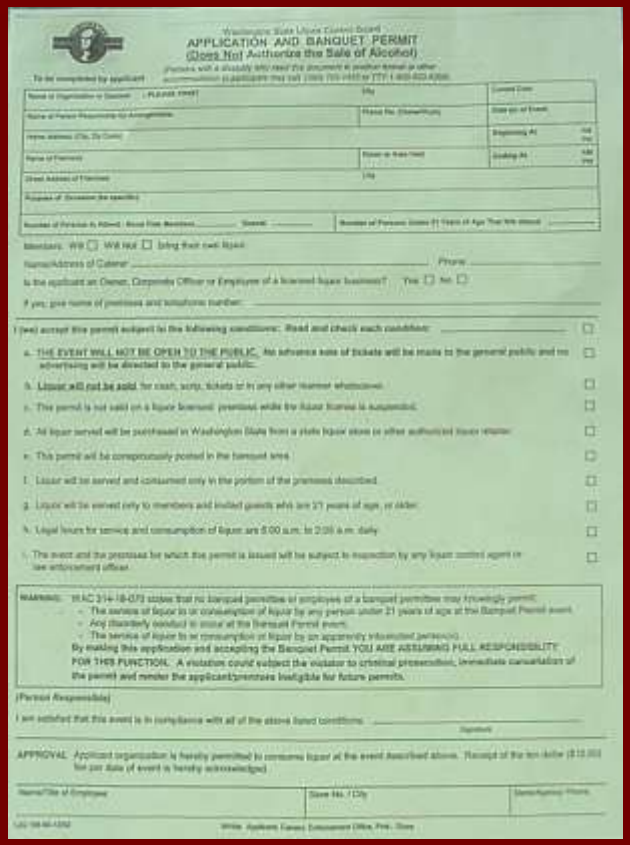
- Events initiated and hosted by a non-profit society or organization
- Private events,such as receptions, held by invitation only

The event can not be held on a licensed premises.

WAC 314-02-060

Banquet Permits

- A banquet permit allows your licensed premises to be used by private individuals and groups if you wish.
- The permit allows private groups to bring alcohol on to your premises. You may charge a corkage fee.
- If the permit is to be active at the same time as the general public is in your premises, the permit area must be segregated from the general public.
- There is no selling of alcohol on a banquet permit.
- Spirits/Beer/Wine licensees can not have any of their product in the permit area.
- You are responsible for violations.



APPLICATION AND BANQUET PERMIT
(Does Not Authorize the Sale of Alcohol)

WAC 314-18

Special Occasion Licenses

- This is a license for a non-profit group to sell alcohol at specific time, date and place.
- The license is $60.00 per day per location.
- The application process is normally 45 days.
- Minors **will not** be allowed in your alcohol consumption area.

Application For Special Occasion License
for a Not for Profit Society or Organization

Special Occasion Licenses

- All alcohol is an individual serving for on premises consumption.
- With approval, beer/wine can be sold to go, in original containers.
- All proceeds from the sale of alcohol must go directly back into the non-profit organization, except for reasonable operating costs of actual services performed.
- The WSLCB may request documents to verify the organization is a bona-fide nonprofit, who the true party(ies) of interest are, and that the organization meets the guidelines in WAC 314-05-020 and 025.
- All spirituous liquor must be purchased from a Washington state-run or contract store.

Special Occasion Licenses

- Beer and wine must be purchased at retail or from a beer or wine distributor. Breweries, wineries and out of state breweries and wineries holding a certificate of approval license may donate alcohol to special occasion license holders that are 501 (C) (3) charitable organizations.

- Alcohol manufacturers and importers and distributors may provide advertising, pouring, or dispensing of beer or wine at a beer or wine tasting exhibition or judging event. They may not provide money, goods, or services to special occasion licensees.

- Officers, directors, and/or stockholders of the organization may not have an interest in a manufacturer, importer, or distributor of alcohol.

Special Occasion Licenses

If the special occasion event is to be held at liquor licensed premises the special occasion function must be held in an area separate from areas open to the public, and the licensed premises' liquor cannot be sold or served in the same area(s) as the special occasion license function.

- The liquor licensee cannot charge for the liquor purchased by the special occasion licensee for service at the special occasion event, but can charge for room usage, services etc.
- The liquor licensee must sign the special occasion application giving permission for the special occasion licensee to bring alcohol onto the premises.
- Special occasion licenses will not be issued for use at premises whose liquor license will be suspended on the date(s) of the scheduled event.

RCW 66.24.380, WAC 314-05-020, WAC 314-05-025, WAC 314-05-030

Tobacco

Rules for tobacco retailers:

Other Tobacco Product (OTP) includes cigars, chewing tobacco and any other products that contains tobacco but is not a cigarette.

- If you do not sell cigarettes but sell OTP you must get the tobacco license. Contact Washington State Department of Revenue to get the license.
- You must have a tobacco retailers license. The tobacco license also includes a license to sell OTP.

RCW 82.24.500 and RCW 82.24.090

Tobacco

Rules for cigarette and OTP retailers:

- All products must be purchased from a licensed Washington Wholesaler/Distributor. RCW.82.24.050, RCW 82.24.040
- All invoices showing purchases of products must be kept on the licensed premises for a minimum of five years. RCW 82.24.090
- All cigarettes in your premises must have a Washington Tax Stamp on the package.
- No single cigarette sales. This does not include individual cigarettes that are packaged and have a tax stamp.

RCW 82.26.080, RCW 82.26.170, RCW 70.155.040

Tobacco

These are the stamps for the State of Washington:

Tobacco

Sales of cigarettes from a machine:

- The machine must be located in a area that only 18 year and older people can access.
- The machine must be located at least 10 feet from any entrance.
- Each machine must be licensed.
- The expiration date, which is on the license, must be attached to the machine.
- The machine must have a minor warning sign on it.

RCW 70.155

The End!

This is the end of your licensing briefing. If you have additional questions or want more information, please call your local liquor enforcement officer.

Please use the attached form and e-mail the completed form to:

EnfCustomerService@liq.wa.gov

Or mail the form to: WSLCB Enforcement
3000 Pacific AVE SE
Olympia WA 98504-3094