



Washington State Liquor Control Board

3000 Pacific Ave SE • PO Box 43075 Olympia WA 98504-3075 • (360) 664-1600

A RESOLUTION OF THE WASHINGTON STATE LIQUOR CONTROL BOARD RECOGNIZING THE CITY OF SPOKANE'S REQUEST TO AMEND BANNED PRODUCTS LIST in the DOWNTOWN CORE MANDATORY ALCOHOL IMPACT AREA Resolution No.

Whereas, the Board recognizes its statutory mandate to protect the public's welfare, health, peace, and safety and its responsibility to work with communities to help mitigate the negative impacts of chronic public inebriation associated with the sale of alcohol by the businesses it regulates.

Whereas, in recognition of this mandate, in 1999, the Liquor Control Board adopted the Alcohol Impact Area rules, Washington Administrative Code (WAC) 314-12-210 through WAC 314-12-225. These rules establish a framework for the Liquor Control Board, working in partnership with local government and community organizations, to mitigate negative impacts that result from the presence of chronic public inebriation. Preventing and reducing the harm caused by alcohol consumption requires a comprehensive, multi-dimensional response by neighborhood residents, businesses, and government agencies, including coordinated treatment services, health care, housing services and vocational training. Mandatory restrictions on alcohol sales imposed by the Board are a key element in the effort to mitigate the negative impacts of chronic public inebriation. These rules were amended and adopted under WSR 10-19-065 effective September 15, 2010 to clarify processes for local governments.

Whereas, WAC 314-12-215 sets forth the requirements that the government subdivision must satisfy in order for the Liquor Control Board to recognize the proposed Alcohol Impact Areas.

Whereas, the city of Spokane's request meets the requirements for Board recognition outlined in WAC 314-12-215(3) by including findings of fact pertaining to the presence of chronic public inebriation.

Whereas, the city of Spokane's request satisfies the requirements of WAC 314-12-215(4) that the city tried to alleviate the problem through voluntary efforts in the alcohol impact area for at least six months. The city's efforts were unsuccessful in obtaining the voluntary cooperation of all the licensees with the off-premises alcohol sales privilege.

Whereas, the city of Spokane's request meets the requirements for Board recognition outlined in WAC 314-12-215(7)(d) requiring a minimum of thirty calendar days following Board recognition of a modified prohibited products list.

Whereas, the Board adopted resolution BR-01-2010 April 7, 2010 recognizing the city of Spokane's mandatory Downtown Core Alcohol Impact Area.

Whereas, the city of Spokane requests that the Liquor Control Board impose mandatory restrictions on the off-premises sale of alcohol by licensees in the proposed Downtown Core

Alcohol Impact Area. Specifically, the city requests no sales of certain low cost/high alcohol content malt beverage products identified by a banned products list.

Whereas, in reaching our decision, the Board has duly considered the city of Spokane's December 28, 2010 request to modify the banned product list within the Downtown Core Alcohol Impact Area, testimony provided at the March 16, 2011 public meeting, written comments received from stakeholders and the public regarding Spokane's request, and LCB staff presentation at a public work session March 23, 2011.

Now therefore, be it resolved,

Section 1 The Board resolves to impose the following amended mandatory restrictions requested by the city of Spokane, to take effect May 1, 2011.

No sales of the malt beverage products identified on the amended Banned Product

List. All flavors, alcohol content, and container sizes of the following named products are hereby banned from off-premise sale by licensees in the alcohol impact area.

<u>Brand Name</u>	<u>Alcohol Content by Volume</u>
Bull Ice	8%
Busch Ice	5.9%
Cobra	5.9%
Colt 45 Ice	6.1%
Colt 45 Malt Liquor	6.4%
Drink Four (all products)	10% - 12 %
Hamm's Ice Brewed Ale	6.1%
Hamm's Ice Brewed Beer	6.1%
Hard Wired	6.9%
High Gravity (all products)	8.1% - 9%
Hurricane (all products)	5.9% - 12%
Ice House	5.5%
Joose (all products)	9.9%
Keystone Ice	5.9%
King Cobra*	5.9%
Lucky Ice Ale Premium	6.1%
Lucky Ice Beer	6.1%
Magnum Malt Liquor	5.9%
Mike's Harder Lemonade*	8%
Mickey's (all products)	5.6% - 5.8%
Milwaukee Best Ice	5.9%
Milwaukee Best Premium Ice	5.9%
Natural Ice*	5.9%
Old Milwaukee Ice	5.9%
Olde English 800 (all products)	7.5% - 8%

<u>Brand Name</u>	<u>Alcohol Content by Volume</u>
Olympia Ice	6.1%
Pabst Ice	5.9%
Rainier Ice	5.9%
Red Bull Malt Liquor	7%
Smirnoff XBT*	8%
Schlitz Malt Liquor*	5.9%
Schlitz High Gravity	8.5%
Sparks	6% - 8%
Special 800 Reserve (all flavors)	6%
St. Ide's Liquor and Special Brews (all flavors)	6% - 7.3%
Steel Reserve (all products)	5.5% - 8%
Tilt	6.6% - 8%

***New products**

The Board resolves that these restrictions are reasonably related to addressing the problem of chronic public inebriation demonstrated to exist in the Downtown Core Alcohol Impact Area.

The Board further resolves that such restrictions are reasonable control measures aimed at mitigating the negative effects of chronic public inebriation and are necessary to augment the city of Spokane's efforts to address such problems within the defined Alcohol Impact Area.

Signed and Dated March 23, 2011



Sharon Foster
Chair



Ruthann Kurose
Board Member



Chris Marr
Board Member