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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ROBERTO CHAVEZ LARA d/b/a LAS PALMAS

109 S. Wapato Ave.
Wapato, WA 98951

LICENSEE.

LICENSE No. 080520
AVN No. 4K0219B and 4J1183A

LCB No. 23,757 and 23,867
OAH No. 2011-LCB-0006

FINAL ORDER OF THE BOARD

~~PROPOSED~~

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and the Licensee, ROBERTO CHAVEZ LARA d/b/a LAS PALMAS, and the parties having voluntarily entered into a stipulated settlement agreement for Case Numbers 23,757 (AVN No. 4K0219B) and 23,867 (AVN No. 4J1183A) and the Board having considered the stipulated settlement agreement and Enforcement's memorandum recommending acceptance of the stipulated settlement agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore:

IT IS HEREBY ORDERED that the violations of RCW 66.44.310 and WAC 314-11-020(2) and WAC 314-11-055 in 23,757 (AVN No. 4K0219B) and violations of

RECEIVED

SEP 01 2011

**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

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109 S. Wapato Ave.
Wapato, WA 98951

LICENSEE.

LICENSE No. 080520
AVN Nos. 4K0219B and 4J1183A

LCB No. 23,757 and 23,867
OAH No. 2011-LCB-0006

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board (Board) Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and the Licensee, ROBERTO CHAVEZ LARA d/b/a LAS PALMAS of Wapato, Washington, hereby enter into this stipulated settlement agreement for Liquor Control Board Case Numbers 23,757 and 23,867.

I. INTRODUCTION

1. The Board issued a Complaint alleging that on or about August 7, 2010: (1) the Licensee or an employee thereof, allowed a person under twenty-one (21) years of age to enter and remain in an area classified as off-limits to persons under the age of twenty-one (21), contrary to RCW 66.44.310 and WAC 314-11-020(2); and (2) the Licensee did not maintain sufficient lighting, contrary to WAC 314-11-055.

1 consume alcohol on the licensed premises, contrary to WAC 314-16-150, on July 2, 2011, as
2 detailed in AVN No. 4J1183A.

3 5. The parties agree that:

4 (a) The violation of RCW 66.44.310 and WAC 314-11-020(2) in 23,757 is a second
5 violation of its kind within a twenty-four month period and it carries with it a seven
6 (7) day suspension of the Licensee's liquor license with no option of a monetary
7 penalty;

8 (b) The violation of WAC 314-11-055 in 23,757 is a first violation of its kind and the
9 penalty is a five (5) day suspension of the Licensee's liquor license or a one hundred
10 dollar (\$100) monetary penalty in lieu of the suspension;

11 (c) The violation of RCW 66.44.310 and WAC 314-11-020(2) in 23,867 is a second
12 violation on its kind within a twenty-four month period and the penalty is a seven (7)
13 day suspension of the Licensee's liquor license with no option of a monetary penalty;
14 and

15 (d) The violation of WAC 314-16-150 in 23,867 is a first violation of its kind and the
16 penalty is a five (5) day suspension of the Licensee's liquor license or a five hundred
17 dollar (\$500) monetary penalty in lieu of the suspension;

18 6. Pursuant to this settlement, the parties agree to the imposition of:

19 (a) A seven (7) day suspension of the Licensee's liquor license for the violation of
20 RCW 66.44.310 and WAC 314-11-020(2) in 23,757; and a four (4) day suspension
21 for violation of RCW 66.44.310 and WAC 314-11-020(2) in 23,867. The suspension
22 dates will run consecutively, and the suspension shall be effective September 16,
23 2011, at 10:00 a.m. through September 27, 2011, at 10:00 a.m.; and

24 (b) A three hundred dollar (\$300) monetary penalty for the violation of WAC 314-
25 16-150 in 23,867. The Licensee will pay the \$300 monetary penalty within 30 days
26 of the date of the Final Order of the Board. Payment must be sent to:

Washington State Liquor Control Board
P.O. Box 43085
Olympia, WA 98504-3085

7. In the event that the Licensee does not make full and timely payment of the monetary penalty as required in Section II, Paragraph 6(b), the Licensee shall serve a five (5) day suspension of its liquor license, the dates and time of which shall be set by the Washington State Liquor Control Board.

8. In consideration for the Licensee's admissions and willingness to enter into this agreement, Enforcement agrees that the Board can waive the penalty for the violation of WAC 314-11-055 in LCB No. 23,757.

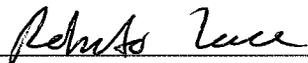
9. This settlement agreement constitutes the final written expression of all the terms of this agreement and is a complete and exclusive statement of these terms, and shall be effective when signed by all parties and/or their legal representatives.

10. The parties recognize that this settlement agreement is subject to approval by the Washington State Liquor Control Board.

ROBERT M. MCKENNA
Attorney General


BRIAN J. CONSIDINE, WSBA #39517
Assistant Attorney General
Attorneys for LCB Enforcement

8/29/11
DATE


ROBERTO CHAVEZ LARA
Licensee

AUGUST 26TH, 2011
DATE



Washington State
Liquor Control Board

September 12, 2011

Roberto Chavez Lara, Licensee
d/b/a Las Palmas
109 S Wapato Ave
Wapato, WA 98951-1342

Brian Considine, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: FINAL ORDER OF THE BOARD

LICENSEE: Roberto Chavez Lara

TRADE NAME: Las Palmas

LOCATION: 109 S Wapato Ave, Wapato, WA 98951-1342

LICENSE NO. 080520-4D

ADMINISTRATIVE VIOLATION NOTICE NO: 4K0219B & 4J1183A

LCB HEARING NO. 23,757 & 23,867

OAH DOCKET NO. 2011-LCB-0006

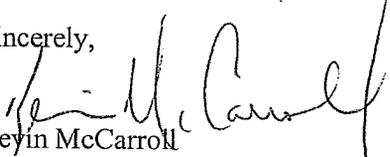
UBI: 602 872 147 001 0001

Dear Parties:

Please find the enclosed Declaration of Service by Mail and a copy of the Final Order of the Board in the above-referenced matter along with a copy of the Stipulated Settlement Agreement.

The monetary penalty payment is due by 10/12/2011. The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your License Number and Administrative Violation Notice Number listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,


Keyin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Spokane and Pasco Enforcement and Education Divisions, WSLCB
Teresa Young, WSLCB

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 ROBERTO CHAVEZ LARA
6 d/b/a LAS PALMAS
7 109 S WAPATO AVE
8 WAPATO, WA 98951-1342

9 LICENSEE

10 LICENSE 080520-4D
11 AVNS 4K0219B, 4J1183A

LCB NOS 23,757
23,867

OAH NO. 2011-LCB-0006

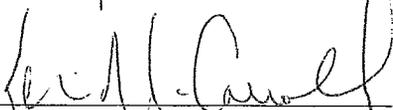
DECLARATION OF SERVICE BY
MAIL

12 I certify that I caused a copy of the *FINAL ORDER OF THE BOARD* in the above-
13 referenced matter to be served on all parties or their counsel of record by US Mail Postage
14 Prepaid via Consolidated Mail Service for Licensees; by Campus Mail for the Office of
15 Attorney General, on the date below to:

16
17
18 ROBERTO CHAVEZ LARA
19 d/b/a LAS PALMAS
20 109 S WAPATO AVE
21 WAPATO, WA 98951-1342

BRIAN CONSIDINE, ASSISTANT ATTORNEY
GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100

22 DATED this 12th day of September, 2011, at Olympia, Washington.

23 
24 Kevin McCarroll, Adjudicative Proceedings Coordinator

25
26
DECLARATION OF SERVICE BY
MAIL