

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LANES & SONS INC.
d/b/a VOLCANO'S PARTY ISLAND
20 N RAYMOND RD
SPOKANE VALLEY, WA 99206-3729

LICENSEE

LICENSE NO. 359197
AVN NO. 4N2124A

LCB NO. 24,098
OAH NO. 2013-LCB-0033

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Liquor Control Board issued a complaint dated March 13, 2013, alleging that on May 3, 2012, the above-named Licensee and/or an employee(s) thereof gave, sold or otherwise supplied liquor to a person under the age of twenty-one (21), in violation of RCW 66.44.270(1); and that on or around May 3, 2012, the above-named Licensee did not meet minimum required food-service standards when the Licensee failed to maintain a menu containing at least eight (8) complete meals at any and/or all times when liquor service is available for sale, service and/or consumption, in violation of WAC 314-02-035(1) and (8).
2. The Licensee timely submitted a request for an administrative hearing;
3. A prehearing conference was scheduled for July 11, 2013 at 2:00 p.m. The Enforcement and Education Division of the Liquor Control Board appeared and was represented by Marisa Broggel, Assistant Attorney General. The Licensee did not appear for the prehearing conference or request a continuance;

4. On July 24, 2013, Administrative Law Judge Mark H. Kim issued his Order of Default Dismissing Licensee's Failure to Appear ****With Amended Appeal Rights**** which dismissed the appeal;

5. No request to vacate the default was filed;

6. No petition for review was filed;

7. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises; NOW, THEREFORE, IT IS HEREBY ORDERED that the default order for case 24,098 is adopted.

IT IS HEREBY FURTHER ORDERED that the Complaint filed in case 24,098 is sustained and that the liquor license privileges granted to Lane & Sons Inc. d/b/a Volcano's Party Island at 20 N Raymond Road in Spokane Valley, Washington, License 359197, are hereby suspended for a term of ten (10) days. In lieu of a license suspension, the Licensee shall pay a monetary penalty in the amount of seven-hundred and fifty dollars (\$750.00) due within 30 days of this order. Failure to comply with the terms of this order will result in further disciplinary action.

Payment in reference to this order should be sent to:

**Washington State Liquor Control Board
Financial Division
PO Box 43085
Olympia, WA 98504-3085**

DATED at Olympia, Washington this 27 day of August, 2013.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kurose

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW

34.05.010(19).



Washington State
Liquor Control Board

August 28, 2013

Scott Lane c/o David Miller
Lane & Sons
d/b/a Volcano's Party Island
868 Paulsen Bldg
421 West Riverside Ave
Spokane, WA 99201-0405

Marisa Broggel, 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: Lane & Sons
TRADE NAME: Volcano's Party Island
LOCATION: 20 N Raymond Rd, Spokane Valley, WA 99206
LICENSE NO. 359197
LCB HEARING NO. 24,098
OAH NO. 2013-LCB-0033
AVN: 4N2124A
UBI: 302-775-386-001-0004

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter. **The applicable monetary penalty is due by Friday, September 27, 2013.** If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Spokane Enforcement and Education Division, WSLCB
Jamie Marshall, WSLCB Enforcement

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

LCB NO. 24,098
OAH NO. 2013-LCB-0033

3 LANE & SONS
4 VOLCANO'S PARTY ISLAND
5 20 N RAYMOND RD
SPOKANE VALLEY, WA 99206

DECLARATION OF SERVICE BY
MAIL

6 LICENSEE

7 LICENSE NO. 359197
8 AVN NO. 4N2124A

9 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-
10 referenced matter to be served on all parties or their counsel of record by US Mail Postage
11 Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state
12 offices, on the date below to:

15 LANE & SONS d/b/a VOLCANO'S PARTY ISLAND 20 N RAYMOND RD SPOKANE VALLEY, WA 99206-3729	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION MARISA BROGGEL, ASSISTANT ATTORNEY GENERAL
17 SCOTT LANE C/O DAVID MILLER LANE & SONS 18 d/b/a VOLCANO'S PARTY ISLAND 19 868 PAULSEN BLDG 421 WEST RIVERSIDE AVE 20 SPOKANE, WA 99201-0405	

21 DATED this 28th day of August, 2013, at Olympia, Washington.

23 
24 Kevin McCarroll, Adjudicative Proceedings Coordinator

25 DECLARATION OF SERVICE BY
26 MAIL