



STATE OF WASHINGTON
WASHINGTON STATE LIQUOR CONTROL BOARD
3000 Pacific Ave SE • PO Box 43098 Olympia WA 98504-3098 • (360) 664-1648

Liquor Control Board Policy Number 00-4

Subject of policy: Exceptions to License Fee Refund Regulation

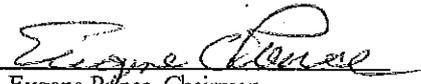
Effective date: June 29, 2000

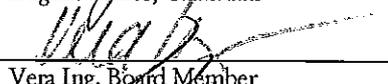
Scope of policy: Licensing & Regulation Division Employees and Financial Division Employees

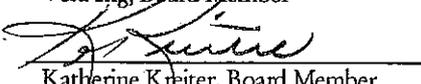
Contact information: David E. Goyette Director, Licensing & Regulation Division (360) 664-1615
deg @ liq .wa . gov

Source of authority: RCW 66.08.030

Approved:


Eugene Prince, Chairman


Vera Ing, Board Member


Katherine Kreiter, Board Member

Purpose statement:

The purpose of the proposed policy is to establish a standard procedure for refunding license fees to license holders who, through no fault of their own, are prohibited from continuing the sale of liquor because of a court decision, a change in state law or, changes in the laws, ordinances or regulations of the city, county, or other governmental jurisdiction in which the licensed premises is located.

Relevant Rules and Laws:

- WAC 314-12-040(1) states: “Unless otherwise provided by law there will be no prorating of any license fee”
- RCW 66.24.420(1)(b) states: “The annual fee for the license when issued to any other spirits, beer, and wine restaurant licensee outside of incorporated cities and towns shall be prorated according to the calendar quarters or portion thereof during which the licensee is open for business, except in case of suspension or revocation of the license.”

Policy statement:

The Board is currently engaged in an extensive revision of its regulations. Pending a review of WAC 314-12-040, the Board will adopt the following policy that creates an exception to the subject rule language under specific conditions as follows:

When a current liquor licensee, who through no fault of their own, must discontinue the sale of liquor due to the enactment of a court decision, a change in state law or, the enactment of laws, ordinances, or regulations of a governmental jurisdiction in which the premises is located, the Board may consider refunding the unused portion of the license fee based on calendar quarters or portions used. For example, when a licensee receives or renews a tavern license in March of a given year and subsequently must discontinue the sale of liquor in April of the same year, the licensee would be eligible upon Board approval to receive a refund representing the prorated fee for two calendar quarters. The licensee will be considered to have used a portion of the first calendar quarter (January, February, March) and a portion of the second calendar quarter (April, May, June).