



NOTICE OF RULE MAKING – Pre-proposal #14-13

The Washington State Liquor Control Board has entered into the initial stage of rule making (CR 101) to revise WAC 314-02-130 regarding outside service area requirements.

This rulemaking is a result of a petition for rulemaking submitted by the cities of Seattle and Spokane. WAC 314-02-130 requires all outdoor alcohol service areas be enclosed by a 42 inch high barrier. Both Seattle and Spokane have active sidewalk café permitting programs. They have found the 42 inch barrier requirement may have a doubly negative effect on their street level environment. First, there is limited walkable space and the barrier requirement further encroaches on the remaining walkable zone, thereby limiting pedestrian access. Second, the barrier requirement around tables and chairs often does not allow enough room for pedestrians, which results in restaurants being denied the opportunity to have outdoor seating and the opportunity to expand their business. The cities of Seattle and Spokane are requesting the board allow local jurisdictions to decide where barriers are appropriate.

This notice can be found at <http://www.liq.wa.gov/laws/laws-and-rules> under Proposed Rules.

The Liquor Control Board encourages you to give input on this rule. Following the comment period, the agency will send out and publish the proposed revised rule, establish a comment period on the proposed rule, and hold at least one public hearing before the rule is adopted.

Public Comment

Please forward your initial comments to the Liquor Control Board by mail, e-mail, or fax by **July 4, 2014**.

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