



Bill Title: Spirits, Beer, and Wine Nightclub Liquor License

Bill Number: SSB 5367

Effective Date: July 26, 2009

Creates a new section in RCW 66.24 and amends sections in RCW 66.04, 66.08, 66.20, 66.24, 66.40, and 68.50.

Background:

The only liquor license available to businesses operating as nightclubs that wish to serve spirits is a spirits, beer, and wine restaurant liquor license. Nightclubs are businesses that primarily provide live entertainment and serve alcohol. Restaurants are primarily food service businesses that also serve alcohol. Having a separate license for nightclubs would allow the Washington State Liquor Control Board (WSLCB) to clearly distinguish between restaurants and nightclubs.

Summary:

The nightclub liquor license:

- Has an annual fee of \$2,000;
- May only be issued to a person whose business includes the sale and service of alcohol;
- Has no food requirement;
- Has primary business hours between 9 p.m. and 2 a.m.;
- Requires employees to hold a Mandatory Alcohol Server Training (MAST) permit;
- Grants the WSLCB authority to review and set fees at a level sufficient to defray the cost of licensing and enforcing this license;
- Allows local governments to petition the WSLCB to request further restriction be imposed on the license in the interest of public safety (examples: no minors at all times, submitting a security plan, signing a good neighbor agreement with the local government); and
- Allows minors but only in areas where alcohol is not served or consumed.

The legislation also:

- Defines "nightclub" as an establishment that provides entertainment and has as its primary source of revenue (a) the sale of alcohol for consumption on the premises, (b) cover charges, or (c) both, and has an occupancy load of 100 or more;

- Adjusts the cap on spirits, beer, and wine restaurant licenses to 1 license per 1,200 population statewide, but includes the nightclub licenses in the cap;
- Amends the language on how long a local authority has to respond to the Board notice on a new application or renewal.

How to Apply:

Complete a Master Business Application and Liquor Control Board Addendum. Information can be found on the WSLCB website at www.liq.wa.gov.

When the WSLCB Licensing Division receives the application:

- A liquor license investigator will be assigned to the application.
- The investigator will contact the applicant to conduct an interview and send the applicant a request for documents needed to process the application (the applicant has 15 days to return documents).
- A notice will be sent to the local authority for comment (20 day period).
- A public posting notice will be sent to the local liquor enforcement office to be posted at the retail premises (must be posted for 14 days).
- When all documents are received and the investigation is complete, the applicant will receive a letter from the WSLCB Licensing Division with either a conditional approval or approval of the liquor license.
- When the license is approved the licensee should receive a Master License from Master License Service within 14 days.