



Washington State Liquor Control Board

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A RESOLUTION OF THE WASHINGTON STATE LIQUOR CONTROL BOARD RECOGNIZING THE CITY OF TACOMA'S PROPOSED LINCOLN DISTRICT ALCOHOL IMPACT AREA

Whereas, the Board recognizes its statutory mandate to protect the public's welfare, health, peace, and safety and its responsibility to work with communities to help mitigate negative impact of chronic public inebriation associated with the sale of alcohol by the businesses it regulates.

Whereas, in recognition of this mandate, in 1999, the Liquor Control Board adopted the Alcohol Impact Area rules, Washington Administrative Code (WAC) 314-12-210 through WAC 314-12-225. These rules establish a framework for the Liquor Control Board, working in partnership with local government and community organizations, to mitigate negative impacts that result from the presence of chronic public inebriation. Preventing and reducing the harm caused by alcohol consumption requires a comprehensive, multi-dimensional response by neighborhood residents, businesses, and government agencies, including coordinated treatment services, health care, housing services and vocational training. Mandatory restrictions on alcohol sales imposed by the Board are a key element in the effort to mitigate the negative impacts of chronic public inebriation.

Whereas, WAC 314-12-215 sets forth the requirements that the government subdivision must satisfy in order for the Liquor Control Board to recognize the proposed Alcohol Impact Areas.

Whereas, the City of Tacoma has designated by Ordinance Number 27602 the proposed Alcohol Impact Area. The boundaries of the proposed alcohol Impact Area is understandable to the public and liquor licensees within the area are determinable, per the requirements of WAC 314-12-215.

Lincoln District

That area bounded on the west and north by Interstate 5 and contiguous with the existing Alcohol Impact Area; on the east by Portland Avenue including all properties abutting the east side of Portland Avenue; and on the south from Portland Avenue west along the southerly city limits to McKinley Avenue then proceeding west along South 72nd Street, including all properties abutting the south side of South 72nd Street, to Pacific Avenue then proceeding south along Pacific Avenue including all properties on either side of Pacific Avenue to 76th Street, then west along 76th Street to Yakima Avenue, then north along Yakima Avenue to South 72nd Street, then west along South 72nd Street, including all properties abutting the south side of South 72nd Street to Interstate 5.

Whereas, the City of Tacoma's request meets the requirements for Board recognition outlined in WAC 314-12-215(2) by including findings of fact pertaining to the presence of chronic public inebriation. Tacoma's Ordinance Number 27684, which directed the Police Chief to request Board recognition of the Lincoln District Alcohol Impact Area (1) finds that crime statistics,

police reports, emergency response data, sanitation reports, and public health records demonstrate that chronic public inebriation and illegal activity associated with alcohol sales and consumption within the Lincoln District continue to contribute to the deterioration of the general quality of life within this area; (2) An independent study of the existing Tacoma Central Core AIA has demonstrated that restrictions "have been effective at addressing the problem of chronic public inebriation."

Whereas, the City of Tacoma's request satisfies the requirements of WAC 314-12-215(4) that the city tried to control the problem through voluntary efforts with the liquor licensees in the alcohol impact area for at least six months. The city's efforts were unsuccessful in obtaining the voluntary cooperation of all the licensees with off-premises alcohol sales.

Whereas, the City of Tacoma requests that the Liquor Control Board to impose mandatory restrictions on the off-premises sale of alcohol by licensees in the proposed Lincoln District Alcohol Impact Area. Specifically, the city requests no sales of certain low cost/high alcohol content beer and wine products identified by a banned products list.

Whereas, in reaching our decision, the Board has duly considered the city of Tacoma's February 13, 2008 request and the June 12, 2008 additional data, testimony provided at the May 7, 2008 public meeting, written comments received from stakeholders and the public regarding Tacoma's request, and LCB staff presentation at a public work session July 16, 2008.

Now therefore, be it resolved,

Section 1 The Board resolves to recognize the alcohol Impact Area requested by the city of Tacoma as described in Ordinance Number 27602.

Section 2 Because of the recognition, the Board will immediately apply the extended review process for liquor license applications and renewals for licenses inside the alcohol impact area as outlined in WAC 314-12-215(7).

Section 3 The Board resolves to impose the following mandatory restrictions requested by the city of Tacoma, to take effect October 1, 2008.

No sales of the following beer and wine products listed. All flavors, alcohol content, and container sizes of the following named products are hereby banned from off-premise sale by licensees in the alcohol impact area.

Recommended Banned Products List

Wine

Boone's Farm
Night Train Express
Richard's Wild Irish Rose

Cisco
Gino's Premium Blend

MD 20/20
Thunderbird

Beer/Malt Liquor

Bud Ice
Camo Silver
Hamm's Ice Brewed Ale
Hurricane Ice Malt Liquor
Keystone Ice
Lucky Ice Beer
Mickey's Malt Liquor
Milwaukee Best Premium Ice Beer
Olde English 800
Rainier Ale
Rock Star 21
Sparks

Bull Ice
Colt 45 Ice
Hamm's Ice Brewed Beer
Hurricane – High Gravity
King Cobra Malt Liquor
Magnum Malt Liquor
Miller High Life Ice
Molson Ice
Olympia Ice
Red Bull Malt Liquor
Schmidt's Ice
St. Ides

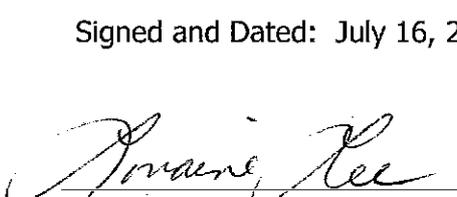
Busch Ice
Colt 45 Malt Liquor
HG 800
Ice House
Lucky Ice Ale Premium
Mickey's Ice Brewed Ale
Milwaukee Best Ice
Old Milwaukee Ice
Pabst Ice
Red Dog
Special 800 Reserve
Steel Reserve

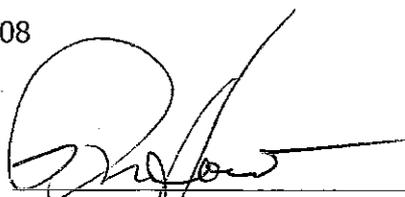
The Board resolves that these restrictions are reasonably related to addressing the problem of chronic public inebriation demonstrated to exist in the Alcohol Impact Area.

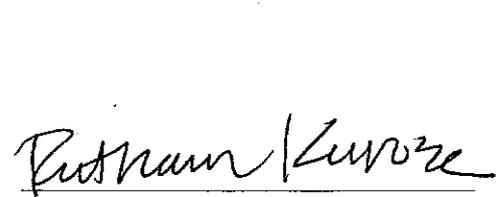
The Board further resolves that such restrictions are reasonable control measures aimed at mitigating the negative effects of chronic public inebriation and are necessary to augment the city of Tacoma's efforts to address such problems within the defined Alcohol Impact Area.

Section 4 The city of Tacoma shall submit annual updates of data demonstrating how the restrictions imposed by this resolution have mitigated the negative impacts associated with chronic public inebriation within the recognized AIA. The date to be submitted will be collaboratively developed by the city of Tacoma and LCB staff. The first report to the Director of the Board's Licensing and Regulation Division is due by September 30, 2009.

Signed and Dated: July 16, 2008


Lorraine Lee
Chair


Roger Hoep
Board Member


Ruthann Kurose
Board Member