



Washington State  
**Liquor and Cannabis Board**

**Date:** September 29, 2021

**To:** David Postman, Board Chair  
 Ollie Garrett, Board Member  
 Russ Hauge, Board Member

**From:** Audrey Vasek, Policy and Rules Coordinator

**Copy:** Rick Garza, Agency Director  
 Toni Hood, Agency Deputy Director  
 Chandra Brady, Director of Enforcement and Education  
 Becky Smith, Licensing Director  
 Justin Nordhorn, Policy and External Affairs Director  
 Kathy Hoffman, Policy and Rules Manager

**Subject:** **Approval to file a pre-proposal statement of inquiry (CR 101) regarding axe throwing at liquor licensed premises.**

Axe throwing has become increasingly popular as an activity that liquor licensed businesses would like to offer to their customers. Rules are needed to mitigate safety concerns and maintain public health and safety while allowing axe throwing at liquor licensed premises.

**Process**

The Policy and Rules Coordinator requests approval to file the pre-proposal statement of inquiry (CR 101) for the rulemaking described above. A CR 101 Memorandum was presented at the Board meeting on September 29, 2021, and is attached to this order.

If approved for filing, the **tentative timeline** for the rule making process is outlined below:

|                    |  |
|--------------------|--|
| September 29, 2021 | Board is asked to approve filing pre-proposal statement of inquiry (CR 101).<br>CR 101 filed with the Office of the Code Reviser.<br>WSLCB webpage updated and notice circulated by GovDelivery distribution list.<br>Initial comment period begins. |
| October 20, 2021   | Notice published in the Washington State Register under WSR 21-20.   |
| November 19, 2021  | Initial comment period ends.   |





## **CR 101 Memorandum**

### **Regarding axe throwing at liquor licensed premises.**

Date: September 29, 2021  
Presented by: Audrey Vasek, Policy and Rules Coordinator

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#### **Background**

Axe throwing has become increasingly popular as an activity that liquor licensed businesses would like to offer to their customers. Beginning in 2018, the LCB Licensing Division began receiving applications from businesses that either had axe throwing as their primary activity and wanted to add liquor service, or from established liquor licensed businesses that wanted to add axe throwing as entertainment.

More recently, an axe throwing business applied for a liquor license and appealed the LCB Licensing Division's decision to deny their application. In April 2021, the LCB approved a settlement agreement allowing that specific business to have a liquor license for one year with certain parameters in place, including a safety plan that addresses public health and safety concerns arising at the intersection of axe throwing and alcohol service.

#### **Reasons Why Rules Are Needed**

The LCB considers axe throwing at liquor licensed premises to be a high-risk activity with implications for public health and safety. Rules are needed to mitigate safety concerns and maintain public health and safety while allowing axe throwing at liquor licensed premises.

#### **Process**

The rulemaking process begins by announcing LCB's intent to consider changes to existing rules, add new rule sections, or both by filing a pre-proposal statement of inquiry (CR 101) form with the Office of the Code Reviser. This allows staff, stakeholders, industry partners, and all members of the authorizing environment to begin discussing possible rule changes. There are no proposed or final rules offered at this stage of the rulemaking process. Any interested person may comment on the subject of this rulemaking during the designated comment period. Notice will be sent to all who have indicated that they want to receive

notice of rulemaking activity related to this CR 101. The notice will identify the public comment period and where comments can be sent.

DRAFT

# PREPROPOSAL STATEMENT OF INQUIRY



## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Washington State Liquor and Cannabis Board

**Subject of possible rule making:** WAC 314-03-XXX. Axe throwing at liquor licensed premises. The Washington State Liquor and Cannabis Board (LCB) is considering creating a new rule section and amending or repealing other related rules in Title 314 WAC as necessary to allow the added activity of axe throwing at liquor licensed premises.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 66.08.030.

**Reasons why rules on this subject may be needed and what they might accomplish:** Axe throwing has become increasingly popular as an activity that liquor licensed businesses would like to offer to their customers. Beginning in 2018, the LCB Licensing Division began receiving applications from businesses that either had axe throwing as their primary activity and wanted to add liquor service, or from established liquor licensed businesses that wanted to add axe throwing as entertainment.

More recently, an axe throwing business applied for a liquor license and appealed the LCB Licensing Division's decision to deny their application. In April 2021, the LCB approved a settlement agreement allowing that specific business to have a liquor license for one year with certain parameters in place, including a safety plan that addresses public health and safety concerns arising at the intersection of axe throwing and alcohol service.

The LCB considers axe throwing at liquor licensed premises to be a high-risk activity with implications for public health and safety. Rules are needed to mitigate safety concerns and maintain public health and safety while allowing axe throwing at liquor licensed premises.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Audrey Vasek, Policy and Rules Coordinator  
Address: PO Box 43080, Olympia, WA 98504  
Phone: 360-664-1758  
Fax: 360-704-5027  
TTY:  
Email: rules@lcb.wa.gov  
Web site: lcb.wa.gov  
Other:

(If necessary)

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Web site:  
Other:

Additional comments: Interested persons can participate in the rule process through open public meetings and by submitting written comments, and are encouraged to sign up for the interested parties list (GovDelivery) at <https://public.govdelivery.com/accounts/WALCB/subscriber/new>. Rulemaking notices and stakeholder engagement opportunities will be emailed via GovDelivery and posted to the WSLCB website at [lcb.wa.gov](http://lcb.wa.gov).

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|---------------------------------|-------------------|
| <b>Date:</b> September 29, 2021 | <b>Signature:</b> |
| <b>Name:</b> David Postman      |                   |
| <b>Title:</b> Chair             |                   |