



Washington State Liquor and Cannabis Board

Topic: Petition for Adoption, Amendment, or Repeal of a State Administrative Rule – Private Club Membership Drives WAC 314-40-040(6).

Date: September 14, 2022

Presented by: Audrey Vasek, Policy and Rules Coordinator

Background

On July 28, 2022, Keith Laurent on behalf of the Vancouver Elks #823, submitted a petition for adoption, amendment, or repeal of a state administrative rule. The petition requests that the agency amend WAC 314-40-040(6) to allow private clubs to add one additional membership drive per calendar quarter (for a total of eight per year) and host a consecutive membership drive during one quarter per calendar year.

In the rule petition, Keith Laurent stated:

☒ **2. AMEND RULE - I am requesting the agency to change an existing rule.**

List rule number (WAC), if known: WAC 314-40-040(6)

- ☒ I am requesting the following change: (6) In order to recruit new members and build club membership, a private club may hold a public membership function for two days per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive
- ☒ This change is needed because: To add 1 additional membership drives per calendar quarter and to allow 1 quarter per calendar year to host a consecutive membership drive.
- ☒ The effect of this rule change will be: To be able to reach out to the community more and showcase the good works we do within our Community, the State of Washington and across the Nation

In the email containing the rule petition, Keith Laurent further stated:

This is the verbage [*sic*] of the request:

(6) In order to recruit new members and build club membership, a private club may hold a public membership function for ~~[one day]~~ **two days** per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive activities. The function must be advertised as a membership drive. ~~[Membership drives may not be held on consecutive days.]~~ **A membership drive may be held on 2 consecutive days once per calendar year.**¹

Issue

¹ In this quote, bold text has been added in lieu of the highlighting contained in the original email. Underlining has been added to show where new language was added to the rule, and bracketed text with strikethroughs has been added to show where language was removed from the rule.

Whether the Board should initiate the rulemaking process to consider amending WAC 314-40-040(6) to allow private clubs to add one additional membership drive per calendar quarter where club liquor may be given or sold as part of the membership drive activities (for a total of eight per year) and host a consecutive membership drive during one quarter per calendar year.

Authority

Laws

RCW 66.08.030(11) authorizes the Board to adopt rules “[p]rescribing the conditions and qualifications requisite for the obtaining of club licenses and the books and records to be kept and the returns to be made by clubs, prescribing the manner of licensing clubs in any municipality or other locality, and providing for the inspection of clubs”.

RCW 66.04.010(8) defines “club” as “an organization of persons, incorporated or unincorporated, operated solely for fraternal, benevolent, educational, athletic, or social purposes, and not for pecuniary gain.”

RCW 66.24.450 describes the qualifications for a spirits, beer, and wine private club license, including that the Board must determine that a private club is a “bona fide private club”:

(1) **No club shall be entitled to a spirits, beer, and wine private club license:**

. . .

(c) **Unless the board shall have determined pursuant to any regulations made by it with respect to private clubs, that such private club is a bona fide private club;** it being the intent of this section that license shall not be granted to a club which is, or has been, primarily formed or activated to obtain a license to sell liquor, but solely to a bona fide private club, **where the sale of liquor is incidental to the main purposes** of the spirits, beer, and wine private club, as defined in RCW 66.04.010(8).

RCW 66.24.450(1)(c) (emphasis added).

Rules

WAC 314-40-040 contains regulations related to private club guests and visitors. Subsection (6) allows clubs to hold public membership drives under certain conditions:

In order to recruit new members and build club membership, a private club may hold a public membership function for one day per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive

activities. The function must be advertised as a membership drive. Membership drives may not be held on consecutive days.”

WAC 314-40-040(6).

WAC 314-40-080 contains requirements for liquor service areas at private clubs. Subsection (3) states that:

Any portion of a private club must be closed to the general public when liquor is sold, served, or consumed. During events that are open to the general public, members, guests, and/or visitors, may not possess alcohol in areas that are open to the general public.

WAC 314-40-080(3).

WAC 314-52-115 contains advertising regulations for private clubs. Subsection (4) states:

A private club may hold a public membership function as outlined in WAC 314-40-040(6). The function must be advertised as a membership drive.

WAC 314-52-115(4).

Analysis

The Board has statutory authority under RCW 66.08.030(11) to create rules regarding licensing, recordkeeping, and inspection requirements for private clubs with a liquor license. A private “club” is defined in statute as “an organization of persons, incorporated or unincorporated, operated solely for fraternal, benevolent, educational, athletic, or social purposes, and not for pecuniary gain.” RCW 66.04.010(8).

There are two types of private club liquor licenses created by statute: a spirits, beer, and wine private club license (RCW 66.24.450) and a beer and wine private club license (RCW 66.24.452). In order to be eligible for the spirits, beer, and wine private club license, a private club must be a “bona fide private club, where the sale of liquor is incidental to the main purposes of the spirits, beer, and wine private club, as defined in RCW 66.04.010(8).” RCW 66.24.450.²

Consistent with this statutory authority, the regulations for private clubs in chapter 314-40 WAC establish requirements for club operations, applications, constitutions, guest and courtesy cards, recordkeeping, club property and finances, club roster, liquor service areas, and endorsements. See WAC 314-40-010 through 314-40-095.³ Advertising regulations for private clubs are located in WAC 314-52-115.

² The “bona fide club” requirement has remained largely unchanged since 1949. See section 6, chapter 5, Laws of 1949 ([1949 c 5 § 6](#)).

³ The Board’s private club regulations date to as early as 1963. See earliest statutory authority listed for [WAC 314-40-010](#) through [314-40-080](#), citing Rules 103-110, filed 6/13/63. In fact, some of the current

Under the current rules, private clubs are generally not allowed to serve alcohol during events that are open to the public. WAC 314-40-080(3). However, the rules provide an exception for alcohol service at public membership drives where the purpose is to “recruit new members and build club membership.” WAC 314-40-040(6).⁴ If a private club wants to hold a membership drive “where club liquor may be given or sold to those attending as a part of the membership drive activities,” they are allowed to do so “one day per calendar quarter” for a total of four times per year, but not on consecutive days. *Id.* The rule requires that the event “must be advertised as a membership drive.” *Id.* See also, WAC 314-52-115(4) (Regulations related to advertising by clubs.).

In this petition, Keith Laurent requests that the Board initiate the rulemaking process to consider amending WAC 314-40-040(6) to allow private clubs to add one additional membership drive per calendar quarter, and host a consecutive membership drive during one quarter per calendar year. Essentially, this would double the number of club membership drives where alcohol may be given or sold, from four to eight per year, and allow a private club to hold a two-day membership drive involving alcohol once per year.

While the petition states that this rule change will allow clubs “to be able to reach out to the community more and showcase the good works we do within our Community, the State of Washington and across the Nation,”⁵ agency staff would like to note that private clubs can hold as many membership drives as they wish, as long as alcohol is not a part of the membership drive activities. The Board regulations in WAC 314-40-040(6) only impact membership drives that involve alcohol.

Agency staff find that there are a couple of key issues to consider when evaluating the risks and benefits of allowing private clubs to add additional membership drives and/or host consecutive membership drives where club liquor may be given or sold as part of the membership drive activities:

- What are the potential public health and safety impacts?
- What are the potential impacts to agency resources?

Potential Public Health and Safety Impacts

Membership drives where club liquor can be provided to the general public may have greater public health and safety impacts than a typical club event where club liquor is not allowed to be provided to the general public. See WAC 314-40-080(3). For example, if large numbers of the general public visit a private club during a membership drive where club liquor is given for free or sold to attendees, the potential risks for over service of alcohol, alcohol-related disorderly conduct, impaired driving, and youth access may

private club regulations have remained unchanged since 1963. See, e.g., [WAC 314-40-060](#) (Club property and finances—Concessions.) and [WAC 314-40-070](#) (Club roster—List of officers.)

⁴ This rule section was last amended in 2017 in response to a rule petition, increasing the number of membership drives allowed from “two days per calendar year,” to the current number of “one day per calendar quarter.” [WSR 17-16-072](#). See also, [Concise Explanatory Statement](#) for WSR 17-16-072.

⁵ Rule Petition, page 2.

increase at the licensed location. For this reason, if rulemaking is initiated on this subject, agency staff find that it will be important to work with stakeholders to explore ways to mitigate these public health and safety concerns.

Potential Agency Resource Impacts

Because of the potential public health and safety impacts described above, if the number of private club membership drives where club liquor can be provided to the general public increases, additional LCB Enforcement and Education staff time may be needed to visit events in-person and work with private clubs on education and compliance. For this reason, if rulemaking is initiated on this subject, agency staff find that it will be important to work with stakeholders to explore ways that the LCB can provide education and assist with compliance.

Conclusion

Considering the potential risks and benefits described above, Director's Office staff find that opening up this subject for inquiry and public discussion would be worthwhile. Initiating the rulemaking process as requested in this petition would allow the agency to begin collaboratively engaging with stakeholders and any interested members of the public to explore the possibility of allowing private clubs to add additional membership drives and/or host consecutive membership drives.

Recommendation

For the reasons described above, Director's Office staff recommend that consistent with RCW 34.05.330(1)(b), the Board accept Keith Laurent's rule petition request, received on July 28, 2022, and initiate rulemaking proceedings to begin exploring the possibility of allowing private clubs to add one additional membership drive per calendar quarter and host a consecutive membership drive during one quarter per calendar year.

Board Action

After considering the recommendation of Director's Office staff, the Board accepts/denies the petition for rulemaking received from Keith Laurent on July 28, 2022.

_____ Accept _____ Deny

David Postman, Chair

Date

_____ Accept _____ Deny

Ollie Garrett, Board Member

Date

_____ Accept _____ Deny

Jim Vollendroff, Board Member

Date

Attachments

1. Email from Keith Laurent received July 28, 2022, containing rule petition.
2. Laws and Rules cited under the “Authority” section above.

Vasek, Audrey (LCB)

From: Keith Laurent <quietlp99@gmail.com>
Sent: Wednesday, July 27, 2022 8:39 PM
To: Vasek, Audrey (LCB)
Cc: Keith Laurent
Subject: Rule change WAC 314-40-040(6)
Attachments: petition update.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

External Email

Hello Audrey,
Before forwarding this to rules@lcb.wa.gov.
I would request that you proof the documents I have completed and make sure I have not neglected anything.
Thanks,
Keith

This is the verbage of the request:

(6) In order to recruit new members and build club membership, a private club may hold a public membership function for **two** days per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive activities. The function must be advertised as a membership drive. A **membership drive may be held on 2 consecutive days once per calendar year.**

PETITION FOR ADOPTION, AMENDMENT, OR REPEAL
OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

CONTACT INFORMATION *(please type or print)*

Petitioner's Name Keith Robert Laurent
Name of Organization Vancouver Elks # 823
Mailing Address 11605 SE McGillivray Blvd
City Vancouver State WA Zip Code 98683
Telephone 360-256-0823 Email lodqe@elks823.com

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm>.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: Washington State Liquor and Cannabis Board

☐ **1. NEW RULE - I am requesting the agency to adopt a new rule.**

☐ The subject (or purpose) of this rule is: _____

☐ The rule is needed because: _____

☐ The new rule would affect the following people or groups: _____

☒ **2. AMEND RULE - I am requesting the agency to change an existing rule.**

List rule number (WAC), if known: WAC 314-40-040(6)

☒ I am requesting the following change: (6) In order to recruit new members and build club membership, a private club may hold a public membership function for two days per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive

☒ This change is needed because: To add 1 additional membership drives per calendar quarter and to allow 1 quarter per calendar year to host a consecutive membership drive.

☒ The effect of this rule change will be: To be able to reach out to the community more and showcase the good works we do within our Community, the State of Washington and across the Nation

☐ The rule is not clearly or simply stated: _____

☐ **3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.**

List rule number (WAC), if known: _____

(Check one or more boxes)

☐ It does not do what it was intended to do.

☐ It is no longer needed because: _____

☐ It imposes unreasonable costs: _____

☐ The agency has no authority to make this rule: _____

☐ It is applied differently to public and private parties: _____

☐ It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____

☐ It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

☐ Other (please explain): _____

Regulations—Scope.

The power of the board to make regulations under chapter 34.05 RCW extends to:

- (1) Prescribing the duties of the employees of the board, and regulating their conduct in the discharge of their duties;
- (2) Prescribing an official seal and official labels and stamps and determining the manner in which they must be attached to every package of liquor sold or sealed under this title, including the prescribing of different official seals or different official labels for different classes of liquor;
- (3) Prescribing forms to be used for purposes of this title or the regulations, and the terms and conditions to be contained in permits and licenses issued under this title, and the qualifications for receiving a permit or license issued under this title, including a criminal history record information check. The board may submit the criminal history record information check to the Washington state patrol and to the identification division of the federal bureau of investigation in order that these agencies may search their records for prior arrests and convictions of the individual or individuals who filled out the forms. The board must require fingerprinting of any applicant whose criminal history record information check is submitted to the federal bureau of investigation;
- (4) Prescribing the fees payable in respect of permits and licenses issued under this title for which no fees are prescribed in this title, and prescribing the fees for anything done or permitted to be done under the regulations;
- (5) Prescribing the kinds and quantities of liquor which may be kept on hand by the holder of a special permit for the purposes named in the permit, regulating the manner in which the same is kept and disposed of, and providing for the inspection of the same at any time at the instance of the board;
- (6) Regulating the sale of liquor kept by the holders of licenses which entitle the holder to purchase and keep liquor for sale;
- (7) Prescribing the records of purchases or sales of liquor kept by the holders of licenses, and the reports to be made thereon to the board, and providing for inspection of the records so kept;
- (8) Prescribing the kinds and quantities of liquor for which a prescription may be given, and the number of prescriptions which may be given to the same patient within a stated period;
- (9) Prescribing the manner of giving and serving notices required by this title or the regulations, where not otherwise provided for in this title;
- (10) Regulating premises in which liquor is kept for export from the state, or from which liquor is exported, prescribing the books and records to be kept therein and the reports to be made thereon to the board, and providing for the inspection of the premises and the books, records and the liquor so kept;
- (11) Prescribing the conditions and qualifications requisite for the obtaining of club licenses and the books and records to be kept and the returns to be made by clubs, prescribing the manner of licensing clubs in any municipality or other locality, and providing for the inspection of clubs;
- (12) Prescribing the conditions, accommodations, and qualifications requisite for the obtaining of licenses to sell beer, wines, and spirits, and regulating the sale of beer, wines, and spirits thereunder;
- (13) Specifying and regulating the time and periods when, and the manner, methods and means by which manufacturers must deliver liquor within the state; and the time and periods when, and the manner, methods and means by which liquor may lawfully be conveyed or carried within the state;
- (14) Providing for the making of returns by brewers of their sales of beer shipped within the state, or from the state, showing the gross amount of such sales and providing for the inspection of brewers' books and records, and for the checking of the accuracy of any such returns;
- (15) Providing for the making of returns by the wholesalers of beer whose breweries are located beyond the boundaries of the state;
- (16) Providing for the making of returns by any other liquor manufacturers, showing the gross amount of liquor produced or purchased, the amount sold within and exported from the state, and to

whom so sold or exported, and providing for the inspection of the premises of any such liquor manufacturers, their books and records, and for the checking of any such return;

(17) Providing for the giving of fidelity bonds by any or all of the employees of the board. However, the premiums therefor must be paid by the board;

(18) Providing for the shipment of liquor to any person holding a permit and residing in any unit which has, by election pursuant to this title, prohibited the sale of liquor therein;

(19) Prescribing methods of manufacture, conditions of sanitation, standards of ingredients, quality and identity of alcoholic beverages manufactured, sold, bottled, or handled by licensees and the board; and conducting from time to time, in the interest of the public health and general welfare, scientific studies and research relating to alcoholic beverages and the use and effect thereof;

(20) Seizing, confiscating and destroying all alcoholic beverages manufactured, sold or offered for sale within this state which do not conform in all respects to the standards prescribed by this title or the regulations of the board. However, nothing herein contained may be construed as authorizing the *liquor board to prescribe, alter, limit or in any way change the present law as to the quantity or percentage of alcohol used in the manufacturing of wine or other alcoholic beverages;

(21) Monitoring and regulating the practices of license holders as necessary in order to prevent the theft and illegal trafficking of liquor pursuant to RCW 66.28.350.

[2014 c 63 § 2; 2012 c 2 § 204 (Initiative Measure No. 1183, approved November 8, 2011); 2002 c 119 § 2; 1977 ex.s. c 115 § 1; 1971 c 62 § 1; 1943 c 102 § 1; 1933 ex.s. c 62 § 79; RRS § 7306-79. Formerly RCW 66.08.030 and 66.08.040.]

NOTES:

***Reviser's note:** The "state liquor control board" was renamed the "state liquor and cannabis board" by 2015 c 70 § 3.

Finding—Application—Rules—Effective date—Contingent effective date—2012 c 2 (Initiative Measure No. 1183): See notes following RCW 66.24.620.

Definitions.

In this title, unless the context otherwise requires:

(1) "Alcohol" is that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, which is commonly produced by the fermentation or distillation of grain, starch, molasses, or sugar, or other substances including all dilutions and mixtures of this substance. The term "alcohol" does not include alcohol in the possession of a manufacturer or distiller of alcohol fuel, as described in RCW 66.12.130, which is intended to be denatured and used as a fuel for use in motor vehicles, farm implements, and machines or implements of husbandry.

(2) "Authorized representative" means a person who:

(a) Is required to have a federal basic permit issued pursuant to the federal alcohol administration act, 27 U.S.C. Sec. 204;

(b) Has its business located in the United States outside of the state of Washington;

(c) Acquires ownership of beer or wine for transportation into and resale in the state of Washington; and which beer or wine is produced by a brewery or winery in the United States outside of the state of Washington; and

(d) Is appointed by the brewery or winery referenced in (c) of this subsection as its authorized representative for marketing and selling its products within the United States in accordance with a written agreement between the authorized representative and such brewery or winery pursuant to this title.

(3) "Beer" means any malt beverage, flavored malt beverage, or malt liquor as these terms are defined in this chapter.

(4) "Beer distributor" means a person who buys beer from a domestic brewery, microbrewery, beer certificate of approval holder, or beer importers, or who acquires foreign produced beer from a source outside of the United States, for the purpose of selling the same pursuant to this title, or who represents such brewer or brewery as agent.

(5) "Beer importer" means a person or business within Washington who purchases beer from a beer certificate of approval holder or who acquires foreign produced beer from a source outside of the United States for the purpose of selling the same pursuant to this title.

(6) "Board" means the liquor and cannabis board, constituted under this title.

(7) "Brewer" or "brewery" means any person engaged in the business of manufacturing beer and malt liquor. Brewer includes a brand owner of malt beverages who holds a brewer's notice with the federal bureau of alcohol, tobacco, and firearms at a location outside the state and whose malt beverage is contract-produced by a licensed in-state brewery, and who may exercise within the state, under a domestic brewery license, only the privileges of storing, selling to licensed beer distributors, and exporting beer from the state.

(8) "Club" means an organization of persons, incorporated or unincorporated, operated solely for fraternal, benevolent, educational, athletic, or social purposes, and not for pecuniary gain.

(9) "Confection" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts, dairy products, or flavorings, in the form of bars, drops, or pieces.

(10) "Consume" includes the putting of liquor to any use, whether by drinking or otherwise.

(11) "Contract liquor store" means a business that sells liquor on behalf of the board through a contract with a contract liquor store manager.

(12) "Craft distillery" means a distillery that pays the reduced licensing fee under RCW 66.24.140.

(13) "Dentist" means a practitioner of dentistry duly and regularly licensed and engaged in the practice of his or her profession within the state pursuant to chapter 18.32 RCW.

(14) "Distiller" means a person engaged in the business of distilling spirits.

(15) "Domestic brewery" means a place where beer and malt liquor are manufactured or produced by a brewer within the state.

(16) "Domestic winery" means a place where wines are manufactured or produced within the state of Washington.

(17) "Drug store" means a place whose principal business is, the sale of drugs, medicines, and pharmaceutical preparations and maintains a regular prescription department and employs a registered pharmacist during all hours the drug store is open.

(18) "Druggist" means any person who holds a valid certificate and is a registered pharmacist and is duly and regularly engaged in carrying on the business of pharmaceutical chemistry pursuant to chapter 18.64 RCW.

(19) "Employee" means any person employed by the board.

(20) "Flavored malt beverage" means:

(a) A malt beverage containing six percent or less alcohol by volume to which flavoring or other added nonbeverage ingredients are added that contain distilled spirits of not more than forty-nine percent of the beverage's overall alcohol content; or

(b) A malt beverage containing more than six percent alcohol by volume to which flavoring or other added nonbeverage ingredients are added that contain distilled spirits of not more than one and one-half percent of the beverage's overall alcohol content.

(21) "Fund" means 'liquor revolving fund.'

(22) "Hotel" means buildings, structures, and grounds, having facilities for preparing, cooking, and serving food, that are kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which twenty or more rooms are used for the sleeping accommodation of such transient guests. The buildings, structures, and grounds must be located on adjacent property either owned or leased by the same person or persons.

(23) "Importer" means a person who buys distilled spirits from a distillery outside the state of Washington and imports such spirituous liquor into the state for sale to the board or for export.

(24) "Imprisonment" means confinement in the county jail.

(25) "Liquor" includes the four varieties of liquor herein defined (alcohol, spirits, wine, and beer), and all fermented, spirituous, vinous, or malt liquor, or combinations thereof, and mixed liquor, a part of which is fermented, spirituous, vinous or malt liquor, or otherwise intoxicating; and every liquid or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine, or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquid, semisolid, solid, or other substance, which contains more than one percent of alcohol by weight shall be conclusively deemed to be intoxicating. Liquor does not include confections or food products that contain one percent or less of alcohol by weight.

(26) "Malt beverage" or "malt liquor" means any beverage such as beer, ale, lager beer, stout, and porter obtained by the alcoholic fermentation of an infusion or decoction of pure hops, or pure extract of hops and pure barley malt or other wholesome grain or cereal in pure water containing not more than eight percent of alcohol by weight, and not less than one-half of one percent of alcohol by volume. For the purposes of this title, any such beverage containing more than eight percent of alcohol by weight shall be referred to as "strong beer."

(27) "Manufacturer" means a person engaged in the preparation of liquor for sale, in any form whatsoever.

(28) "Nightclub" means 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.

(29) "Package" means any container or receptacle used for holding liquor.

(30) "Passenger vessel" means any boat, ship, vessel, barge, or other floating craft of any kind carrying passengers for compensation.

(31) "Permit" means a permit for the purchase of liquor under this title.

(32) "Person" means an individual, copartnership, association, or corporation.

(33) "Physician" means a medical practitioner duly and regularly licensed and engaged in the practice of his or her profession within the state pursuant to chapter 18.71 RCW.

(34) "Powdered alcohol" means any powder or crystalline substance containing alcohol that is produced for direct use or reconstitution.

(35) "Prescription" means a memorandum signed by a physician and given by him or her to a patient for the obtaining of liquor pursuant to this title for medicinal purposes.

(36) "Public place" includes streets and alleys of incorporated cities and towns; state or county or township highways or roads; buildings and grounds used for school purposes; public dance halls and grounds adjacent thereto; those parts of establishments where beer may be sold under this title, soft drink establishments, public buildings, public meeting halls, lobbies, halls and dining rooms of hotels, restaurants, theaters, stores, garages and filling stations which are open to and are generally used by the public and to which the public is permitted to have unrestricted access; railroad trains, stages, and other public conveyances of all kinds and character, and the depots and waiting rooms used in conjunction therewith which are open to unrestricted use and access by the public; publicly owned bathing beaches, parks, and/or playgrounds; and all other places of like or similar nature to which the general public has unrestricted right of access, and which are generally used by the public.

(37) "Regulations" means regulations made by the board under the powers conferred by this title.

(38) "Restaurant" means any establishment provided with special space and accommodations where, in consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains.

(39) "Sale" and "sell" include exchange, barter, and traffic; and also include the selling or supplying or distributing, by any means whatsoever, of liquor, or of any liquid known or described as beer or by any name whatever commonly used to describe malt or brewed liquor or of wine, by any person to any person; and also include a sale or selling within the state to a foreign consignee or his or her agent in the state. "Sale" and "sell" shall not include the giving, at no charge, of a reasonable amount of liquor by a person not licensed by the board to a person not licensed by the board, for personal use only. "Sale" and "sell" also does not include a raffle authorized under RCW 9.46.0315: PROVIDED, That the nonprofit organization conducting the raffle has obtained the appropriate permit from the board.

(40) "Service bar" means a fixed or portable table, counter, cart, or similar workstation primarily used to prepare, mix, serve, and sell alcohol that is picked up by employees or customers. Customers may not be seated or allowed to consume food or alcohol at a service bar.

(41) "Soda fountain" means a place especially equipped with apparatus for the purpose of dispensing soft drinks, whether mixed or otherwise.

(42) "Soju" means a traditional Korean distilled alcoholic beverage, produced using authentic Korean recipes and production methods, and derived from agricultural products, that contains not more than twenty-four percent of alcohol by volume.

(43) "Spirits" means any beverage which contains alcohol obtained by distillation, except flavored malt beverages, but including wines exceeding twenty-four percent of alcohol by volume.

(44) "Store" means a state liquor store established under this title.

(45) "Tavern" means any establishment with special space and accommodation for sale by the glass and for consumption on the premises, of beer, as herein defined.

(46) "VIP airport lounge" means an establishment within an international airport located beyond security checkpoints that provides a special space to sit, relax, read, work, and enjoy beverages where access is controlled by the VIP airport lounge operator and is generally limited to the following classifications of persons:

(a) Airline passengers of any age whose admission is based on a first-class, executive, or business class ticket;

(b) Airline passengers of any age who are qualified members or allowed guests of certain frequent flyer or other loyalty incentive programs maintained by airlines that have agreements describing the conditions for access to the VIP airport lounge;

(c) Airline passengers of any age who are qualified members or allowed guests of certain enhanced amenities programs maintained by companies that have agreements describing the conditions for access to the VIP airport lounge;

(d) Airport and airline employees, government officials, foreign dignitaries, and other attendees of functions held by the airport authority or airlines related to the promotion of business objectives such as increasing international air traffic and enhancing foreign trade where access to the VIP airport lounge will be controlled by the VIP airport lounge operator; and

(e) Airline passengers of any age or airline employees whose admission is based on a pass issued or permission given by the airline for access to the VIP airport lounge.

(47) "VIP airport lounge operator" means an airline, port district, or other entity operating a VIP airport lounge that: Is accountable for compliance with the alcohol beverage control act under this title; holds the license under chapter 66.24 RCW issued to the VIP airport lounge; and provides a point of contact for addressing any licensing and enforcement by the board.

(48)(a) "Wine" means any alcoholic beverage obtained by fermentation of fruits (grapes, berries, apples, et cetera) or other agricultural product containing sugar, to which any saccharine substances may have been added before, during or after fermentation, and containing not more than twenty-four percent of alcohol by volume, including sweet wines fortified with wine spirits, such as port, sherry, muscatel, and angelica, not exceeding twenty-four percent of alcohol by volume and not less than one-half of one percent of alcohol by volume. For purposes of this title, any beverage containing no more than fourteen percent of alcohol by volume when bottled or packaged by the manufacturer shall be referred to as "table wine," and any beverage containing alcohol in an amount more than fourteen percent by volume when bottled or packaged by the manufacturer shall be referred to as "fortified wine." However, "fortified wine" shall not include: (i) Wines that are both sealed or capped by cork closure and aged two years or more; and (ii) wines that contain more than fourteen percent alcohol by volume solely as a result of the natural fermentation process and that have not been produced with the addition of wine spirits, brandy, or alcohol.

(b) This subsection shall not be interpreted to require that any wine be labeled with the designation "table wine" or "fortified wine."

(49) "Wine distributor" means a person who buys wine from a domestic winery, wine certificate of approval holder, or wine importer, or who acquires foreign produced wine from a source outside of the United States, for the purpose of selling the same not in violation of this title, or who represents such vintner or winery as agent.

(50) "Wine importer" means a person or business within Washington who purchases wine from a wine certificate of approval holder or who acquires foreign produced wine from a source outside of the United States for the purpose of selling the same pursuant to this title.

(51) "Winery" means a business conducted by any person for the manufacture of wine for sale, other than a domestic winery.

[2019 c 61 § 1; 2015 c 193 § 3; 2012 c 117 § 264. Prior: 2011 c 325 § 2; 2011 c 195 § 3; prior: 2009 c 373 § 1; 2009 c 271 § 2; 2008 c 94 § 4; (2008 c 94 § 3 expired July 1, 2008); prior: 2007 c 370 § 10; 2007 c 226 § 1; prior: 2006 c 225 § 1; 2006 c 101 § 1; 2005 c 151 § 1; 2004 c 160 § 1; 2000 c 142 § 1; 1997 c 321 § 37; 1991 c 192 § 1; 1987 c 386 § 3; 1984 c 78 § 5; 1982 c 39 § 1; 1981 1st ex.s. c 5 § 1; 1980 c 140 § 3; 1969 ex.s. c 21 § 13; 1935 c 158 § 1; 1933 ex.s. c 62 § 3; RRS § 7306-3. Formerly RCW 66.04.010 through 66.04.380.]

NOTES:

Reviser's note: The definitions in this section have been alphabetized pursuant to RCW 1.08.015(2)(k).

Finding—Intent—Effective date—2015 c 193: See notes following RCW **66.44.380**.

Effective date—2008 c 94 §§ 4 and 11: "Sections 4 and 11 of this act take effect July 1, 2008." [**2008 c 94 § 13**.]

Expiration date—2008 c 94 § 3: "Section 3 of this act expires July 1, 2008." [**2008 c 94 § 12**.]

Effective date—2007 c 370 §§ 10-20: "Sections 10 through 20 of this act take effect July 1, 2008." [**2007 c 370 § 23**.]

Effective date—2004 c 160: "This act takes effect January 1, 2005." [**2004 c 160 § 20**.]

Effective date—1997 c 321: See note following RCW **66.24.010**.

Finding and declaration—Severability—1984 c 78: See notes following RCW **66.12.160**.

Severability—1982 c 39: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [**1982 c 39 § 3**.]

Effective date—1981 1st ex.s. c 5: See RCW **66.98.100**.

Effective date—1969 ex.s. c 21: "The effective date of this 1969 amendatory act is July 1, 1969." [**1969 ex.s. c 21 § 15**.]

PDF

RCW 66.24.450**Liquor by the drink, spirits, beer, and wine private club license—Qualifications—Fee.**

(1) No club shall be entitled to a spirits, beer, and wine private club license:

(a) Unless such private club has been in continuous operation for at least one year immediately prior to the date of its application for such license;

(b) Unless the private club premises be constructed and equipped, conducted, managed, and operated to the satisfaction of the board and in accordance with this title and the regulations made thereunder;

(c) Unless the board shall have determined pursuant to any regulations made by it with respect to private clubs, that such private club is a bona fide private club; it being the intent of this section that license shall not be granted to a club which is, or has been, primarily formed or activated to obtain a license to sell liquor, but solely to a bona fide private club, where the sale of liquor is incidental to the main purposes of the spirits, beer, and wine private club, as defined in RCW 66.04.010(8).

(2) The annual fee for a spirits, beer, and wine private club license, whether inside or outside of an incorporated city or town, is seven hundred twenty dollars per year.

(3) The board may issue an endorsement to the spirits, beer, and wine private club license that allows nonclub, member-sponsored events using club liquor. Visitors and guests may attend these events only by invitation of the sponsoring member or members. These events may not be open to the general public. The fee for the endorsement shall be an annual fee of nine hundred dollars. Upon the board's request, the holder of the endorsement must provide the board or the board's designee with the following information at least seventy-two hours prior to the event: The date, time, and location of the event; the name of the sponsor of the event; and a brief description of the purpose of the event.

(4) The board may issue an endorsement to the spirits, beer, and wine private club license that allows the holder of a spirits, beer, and wine private club license to sell bottled wine for off-premises consumption. Spirits and beer may not be sold for off-premises consumption under this section. The annual fee for the endorsement under this section is one hundred twenty dollars.

[2011 c 119 § 402; (2009 c 507 § 11 expired July 1, 2011); 2009 c 373 § 2; 2001 c 199 § 1; 1999 c 281 § 5. Prior: 1998 c 126 § 9; 1998 c 114 § 1; 1997 c 321 § 30; 1981 1st ex.s. c 5 § 18; 1949 c 5 § 6; 1937 c 217 § 1 (23T) (adding new section 23-T to 1933 ex.s. c 62); Rem. Supp. 1949 § 7306-23T.]

NOTES:

Expiration date—2009 c 507: See note following RCW 66.24.320.

Effective date—1998 c 126: See note following RCW 66.20.010.

Effective date—1998 c 114: "This act takes effect July 1, 1998." [1998 c 114 § 3.]

Effective date—1997 c 321: See note following RCW 66.24.010.

Effective date—1981 1st ex.s. c 5: See RCW 66.98.100.

PDF**RCW 66.24.452****Private club beer and wine license—Fee.**

(1) There shall be a beer and wine license to be issued to a private club for sale of beer, strong beer, and wine for on-premises consumption.

(2) Beer, strong beer, and wine sold by the licensee may be on tap or by open bottles or cans.

(3) The fee for the private club beer and wine license is one hundred eighty dollars per year.

(4) The board may issue an endorsement to the private club beer and wine license that allows the holder of a private club beer and wine license to sell bottled wine for off-premises consumption. Spirits, strong beer, and beer may not be sold for off-premises consumption under this section. The annual fee for the endorsement under this section is one hundred twenty dollars.

[**2009 c 373 § 3**; (2009 c 507 § 12 expired July 1, 2011); **2003 c 167 § 10**; **2001 c 199 § 2**; **1997 c 321 § 31**.]

NOTES:

Expiration date—2009 c 507: See note following RCW **66.24.320**.

Effective date—2003 c 167: See note following RCW **66.24.244**.

Report to legislature—2003 c 167: See note following RCW **66.24.250**.

Effective date—1997 c 321: See note following RCW **66.24.010**.

HTML has links - PDF has Authentication[Return to Chapter Listing](#)**Chapter 314-40 WAC****Last Update: 7/26/17****CLUBS****WAC Sections**

HTML	PDF	314-40-005	Definitions.
HTML	PDF	314-40-010	Operations under retail licenses.
HTML	PDF	314-40-020	Applications.
HTML	PDF	314-40-030	Constitution—Bylaws—House rules.
HTML	PDF	314-40-040	Guest and courtesy cards—Visitors.
HTML	PDF	314-40-050	Records.
HTML	PDF	314-40-060	Club property and finances—Concessions.
HTML	PDF	314-40-070	Club roster—List of officers.
HTML	PDF	314-40-080	Designated portion of club used for service and consumption of liquor.
HTML	PDF	314-40-095	Endorsements to private club licenses.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS TITLE

314-40-090 Soliciting advertising—Special events—Exterior signs. [Rule 111, filed 6/13/63.] Redesignated as WAC 314-52-115 by Order 10, filed 10/27/70, effective 11/27/70.

[PDF](#) 314-40-005
Definitions.

"Guest" means a person who is granted access to the privileges of a club through a temporary membership card issued for fourteen consecutive days.

"Member" means a person who is approved for club membership only after having submitted a written application and been investigated and been approved by ballot.

"Visitor" means a nonmember who is granted access to the privileges of a club based on a prearranged invitation from a bona fide member. Invitations occurring at the point of entry to the premises do not qualify.

[Statutory Authority: RCW **66.08.030** and **66.24.450**. WSR 10-16-056, § 314-40-005, filed 7/28/10, effective 8/28/10.]

PDF 314-40-010**Operations under retail licenses.**

Clubs operating under any class of retail license shall govern their operations in selling liquor in accordance with the regulations set forth in Title 66 RCW, applicable to all retail licensees, except as otherwise specifically provided in this title. Such clubs may sell liquor only to members, visitors and guests as specified in these regulations. Licensed clubs shall not be prohibited from renting, leasing or donating all or a portion of their facilities for, or making services available to, a nonclub activity where the public is invited or admitted under conditions as permitted by WAC 314-40-080.

[Statutory Authority: RCW 66.08.030 and 66.24.450. WSR 10-16-056, § 314-40-010, filed 7/28/10, effective 8/28/10. Statutory Authority: RCW 66.08.030 and 66.98.070. WSR 82-13-069 (Order 107, Resolution No. 116), § 314-40-010, filed 6/16/82; Order 23, § 314-40-010, filed 7/3/73; Rule 103, filed 6/13/63.]

PDF 314-40-020**Applications.**

(1) Applications for new club licenses shall be accompanied by proof that:

(a) The organization is bona fide and nonprofit;

(b) The organization has been in operation for at least one year immediately prior to the date of its application, such proof to consist of records of (i) membership, (ii) meetings of trustees or directors at least every month and membership meetings at least once a year, (iii) the location of such meetings, and (iv) such other data as is necessary to establish that the organization has been active for at least one year prior to [its] application: Provided, The minimum one year period of operation shall not be required when the applicant club is under a nationally chartered organization and there is a previously licensed club operating under the same national charter within the state. Proof of issuance of a charter to such existing club must be provided at the time of application;

(c) The application is approved by a majority of the members which approval shall be indicated by presentation to the board of a petition bearing the names of such members desiring [the] license. The president and secretary of the organization shall certify on such petition the total number of members of the organization in good standing as of the date of the application and that those signing the petition are all members in good standing on such date;

(d) The organization was not primarily formed or activated to obtain a license to sell liquor, but that the sale of liquor is incidental to the main purposes of the club.

(2) Applications for renewal of club licenses shall be made on forms prescribed by the board and accompanied by such information as the board may request.

(3) All applications must be made in the official name of the organization and be signed by either the president or the secretary and be accompanied by a certified copy of the minutes of that meeting of the governing board of the organization which authorized the president or secretary to make the application. The use of trade names shall not be permitted.

[Statutory Authority: RCW 66.08.030. WSR 90-14-004, § 314-40-020, filed 6/22/90, effective 7/23/90; Rule 104, filed 6/13/63.]

PDF 314-40-030

Constitution—Bylaws—House rules.

(1) No license shall be issued to any organization or club unless its constitution, bylaws, and house rules are submitted to the board as evidence that the applicant qualifies as a bona fide club under provisions of state liquor laws and regulations.

(2) The constitution, bylaws and/or house rules shall provide, among other things:

(a) That all classifications of members must be admitted only after written application and only after investigation and ballot. Such admissions must be duly recorded in the official minutes of a regular meeting;

(b) Standards of eligibility for members;

(c) Limitation on the number of members consistent with the nature of the organization or club;

(d) That not more than twelve honorary members be admitted in any one calendar year, and that nonresident and associate members be restricted to numbers consistent with the nature of the organization or club;

(e) Reasonable initiation fees and dues consistent with the nature and purpose of the organization or club;

(f) The period for which dues shall be paid and the date upon which this period shall expire;

(g) Reasonable regulations for the dropping of members for the nonpayment of dues;

(h) Strict regulations for the government of organization or club rooms and quarters generally consistent with its nature and character;

(i) That organization or club rooms and quarters must be under the supervision of a manager and house committee, which committee shall be appointed by the governing body of the organization or club;

(j) Provisions for visitors and for the issuance and use of guest and courtesy cards in accordance with WAC **314-40-040**.

[Statutory Authority: RCW **66.08.030** and **66.24.450**. WSR 10-16-056, § 314-40-030, filed 7/28/10, effective 8/28/10. Statutory Authority: RCW **66.08.030**. WSR 93-11-028, § 314-40-030, filed 5/10/93, effective 6/10/93; Order 19, § 314-40-030, filed 8/10/72; Rule 105, filed 6/13/63.]

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314-40-040

Guest and courtesy cards—Visitors.

(1) Guest cards are intended for invited guests residing outside of the immediate area.

(a) Guest cards shall be issued no more than three times per year for a period not to exceed fourteen consecutive days, and must be numbered serially, with a record of the issuance of each such card to be filed in a manner as to be readily accessible to the agents of the board;

(b) Contestants in golf or tennis tournaments conducted on the grounds of a licensed club will be considered a visitor for the day(s) of the event.

(2) Visitors may be introduced when accompanied at all times by a member, who is not an on duty employee, and may remain as long as such member is present in the club. Any such visitor may only enjoy the privileges of the club six times in any one calendar year unless a different number of times is allowed in the club by-laws.

(3) Persons who are members in good standing of a national veterans organization may enjoy the privileges of any licensed club affiliated with any national veterans organization, and persons who are members in good standing of a national fraternal organization may enjoy the privileges of any club affiliated with that particular national fraternal organization if the bylaws of such clubs authorize reciprocal privileges. Subsections (1) and (2) of this section shall not apply to members of such organizations.

(4) Persons who are members in good standing of organizations licensed as private nonfraternal clubs may enjoy the privileges of other licensed nonfraternal clubs if the bylaws of such clubs authorize reciprocal privileges. Subsections (1) and (2) of this section shall not apply to members of such clubs.

(5) Courtesy cards may be issued to the adult members of the immediate family of any member with or without charge upon application being made to the club by the member.

(6) In order to recruit new members and build club membership, a private club may hold a public membership function for one day per calendar quarter where club liquor may be given or sold to those attending as a part of the membership drive activities. The function must be advertised as a membership drive. Membership drives may not be held on consecutive days.

(7) A person issued a guest card by the club manager pursuant to subsection (1) of this section may introduce visitors into the club provided:

- (a) The visitors are accompanied at all times by the sponsoring guest card holder;
- (b) The visitors remain in the club only as long as the sponsoring guest card holder is present; and
- (c) The house rules or bylaws of the club provide guest card holders the privilege of introducing visitors into the club.

[Statutory Authority: RCW **66.24.450**. WSR 17-16-072, § 314-40-040, filed 7/26/17, effective 8/26/17. Statutory Authority: RCW **66.08.030** and **66.24.450**. WSR 11-23-048, § 314-40-040, filed 11/9/11, effective 12/10/11; WSR 10-16-056, § 314-40-040, filed 7/28/10, effective 8/28/10. Statutory Authority: RCW **66.08.030**. WSR 95-16-030, § 314-40-040, filed 7/21/95, effective 8/21/95; WSR 88-07-060 (Order 239, Resolution No. 248), § 314-40-040, filed 3/16/88; WSR 88-01-016 (Order 235, Resolution No. 244), § 314-40-040, filed 12/8/87; WSR 86-07-013 (Order 177, Resolution No. 186), § 314-40-040, filed 3/11/86. Statutory Authority: RCW **66.08.030** and **66.98.070**. WSR 85-06-020 (Order 152, Resolution No. 161), § 314-40-040, filed 2/27/85; WSR 82-04-028 (Order 92, Resolution No. 101), § 314-40-040, filed 1/27/82; Rule 106, filed 6/13/63.]

PDF

314-40-050**Records.**

(1) In addition to the requirements of WAC **314-16-160**, clubs shall maintain a complete system of bookkeeping covering all operations of the club, with the operations thereof pertaining to liquor being kept separate in a manner prescribed by the board. All such records shall be accessible and be available for inspection and audit by agents of the board. Board agents shall be entitled to make copies or abstracts or, upon furnishing a proper receipt, remove the originals for such purposes as the board deems necessary.

(2) After initial licensure, house rules and bylaws shall be submitted to the board whenever changes are made. A copy of the house rules and/or bylaws must be available for inspection by any law enforcement officer or agent of the board during any premises check of the club.

(3) In addition to WAC **314-40-040** visitor records with date and time and sponsoring member must be kept for a minimum of three years.

(4) In addition to WAC **314-40-040** guest records must contain the full name, date of birth, and address of the guest receiving the temporary membership card.

[Statutory Authority: RCW **66.08.030** and **66.24.450**. WSR 11-23-048, § 314-40-050, filed 11/9/11, effective 12/10/11; WSR 10-16-056, § 314-40-050, filed 7/28/10, effective 8/28/10; Rule 107, filed 6/13/63.]

PDF

314-40-060**Club property and finances—Concessions.**

(1) All property of any club, as well as the advantages thereof, must belong to the members. Any funds advanced for the purchase or improvement of club rooms or quarters must be advanced by the membership or upon securities or properties owned by the club, and any obligations assumed in connection with the establishment or operation of club rooms or quarters must be assumed by the entire club. No club shall receive any money from any source whatever under any arrangement through or under which the person or persons

advancing such funds, whether members of the club or not, are to be given control or supervision over the operation of the club. All activities of any such club, except food service and such other activities as may be specifically approved by the board, must be conducted by the club itself and in its own right, and not upon any concession basis either to any member of the club or to any third party. No member of the club, officer, agent or employee of any such club shall be paid, or directly or indirectly receive, in the form of salary or otherwise, any revenue from the operation of the club beyond the amount of such reasonable compensation as may be fixed or voted by the proper authorities of the club and in accordance with the constitution and bylaws of the club.

[Rule 108, filed 6/13/63.]

PDF 314-40-070

Club roster—List of officers.

(1) Every club shall keep and maintain on the premises a complete roster giving the names and addresses of all its members.

(2) Each club shall file with the board a complete list of its officers showing the address, occupation and name of each officer. When any change occurs in its officers by reason of election or otherwise, the club shall immediately file with the board a revised list of its officers.

[Rule 109, filed 6/13/63.]

PDF 314-40-080

Designated portion of club used for service and consumption of liquor.

(1) Each club shall submit a sketch of the entire premises including the portion used for storage, sale and consumption of liquor, for approval. No change in any portion of the club premises shall be made without the consent of the board.

(2) Where the physical setup of the club rooms or quarters renders it practical so to do, such portion of the club premises shall be a room or rooms devoted solely to such service and capable of being entirely closed from the remainder of the club rooms or quarters. Bona fide members may possess and consume their own alcohol, as authorized by the club's license type, at any time and in any part of the club premises as permitted under the bylaws and/or house rules of the club, provided such bylaws and/or house rules have been filed with the board and except in those portions of the club where nonclub events or public events are occurring.

(3) Any portion of a private club must be closed to the general public when liquor is sold, served, or consumed.

During events that are open to the general public, members, guests, and/or visitors, may not possess alcohol in areas that are open to the general public.

(4) A club may conduct outside one-time events not to exceed twelve per calendar year for club members provided that:

(a) A request is submitted in writing by the licensee or designee at least five business days before the event which includes a clearly defined site plan of the outside area and the date, time, and type of event. Approval must be received prior to the event.

(b) The licensee must have lease hold rights to the outside area where the one-time event is being held. The outside area is adjacent and/or contiguous to the actual licensed premises, must not be across public right of ways, and must be enclosed with a barrier a minimum of forty-two inches in height. This area will be considered restricted and all minor restrictions under RCW **66.44.310** will apply.

(c) All liquor must be prepared, served, and consumed inside the outside service area; persons with liquor may not leave the outside service area. An employee(s) shall be stationed inside the outside service area at all times.

(d) Sufficient lighting must be maintained under WAC **314-11-055**.

[Statutory Authority: RCW **66.08.030** and **66.24.450**. WSR 10-16-056, § 314-40-080, filed 7/28/10, effective 8/28/10. Statutory Authority: RCW **66.08.030**. WSR 88-08-056 (Order 246, Resolution No. 255), § 314-40-080, filed 4/5/88; Rule 110, filed 6/13/63.]

PDF**314-40-095****Endorsements to private club licenses.**

(1) Under RCW **66.24.450**, the board may issue an endorsement allowing the club to hold nonclub, member-sponsored events using club liquor.

(a) Each event must have a sponsoring member from the club.

(b) Each visitor and/or guest may only attend the event by invitation of the sponsoring member(s).

(c) Event may not be open to the general public.

(d) At least seventy-two hours prior to any nonclub event, the sponsoring member, or any club officer, must provide to the board: The date, time, and location of the event, the name of the sponsor of the event, and a brief description of the purpose of the event.

(e) A list of all invited guests and visitors must be available for inspection during the nonclub event.

(2) Under RCW **66.24.450**, the board may issue an endorsement allowing the holder of a spirits, beer, and wine private club license to sell bottled wine for off-premises consumption.

(a) Spirits and beer may not be sold for off-premises consumption.

(b) Bottled wine may only be sold to members, visitors, and guests defined under WAC **314-40-005**. Bottled wine may not be sold to the general public.

[Statutory Authority: RCW **66.08.030** and **66.24.450**. WSR 11-23-048, § 314-40-095, filed 11/9/11, effective 12/10/11; WSR 10-16-056, § 314-40-095, filed 7/28/10, effective 8/28/10.]

HTML has links - PDF has Authentication**PDF WAC 314-52-115****Advertising by clubs—Signs.**

(1) Clubs shall not engage in any form of soliciting or advertising which may be construed as implying that the club operates a premises open to the public, or that social functions at which club liquor may be consumed, are open to the public. Clubs that provide lunch or dinner to the public may advertise but must specify no liquor service is available.

(2) Clubs and/or their auxiliary organizations may advertise social or other club events to their membership through the public media under the following conditions:

- (a) Advertising must be clearly directed to their membership only;
- (b) Advertising cannot be construed as implying that the general public is welcome to attend; and
- (c) Advertising club functions with placards placed for public viewing shall be governed by (a) and (b) of this subsection.

(3) Advertising may be directed to the public generally in connection with events of special public interest under provisions set forth in WAC **314-40-080**(3).

(4) A private club may hold a public membership function as outlined in WAC **314-40-040**(6). The function must be advertised as a membership drive.

(5) Clubs shall not advertise the events held with the nonclub event endorsement per RCW **66.24.425**(3).

(6) Clubs desiring to have radio or television broadcasts originating from their licensed premises may do so provided:

(a) Such broadcasts consist only of entertainment or other matter which is in the public interest and may not contain:

- (i) Any announcement of opening or closing hours;
- (ii) Any invitation to visit the club; or
- (iii) Any statement which may be construed as advertising or any implication that the club is operated as a public place.

(b) The only reference to the club during such broadcasts shall be limited to a statement at the opening and closing of the program as originating from the club quarters.

[Statutory Authority: RCW **66.08.030**, **66.08.060**, and **66.28.010**. WSR 10-06-122, § 314-52-115, filed 3/3/10, effective 4/3/10. Statutory Authority: RCW **66.08.030**, **15.88.030**, **19.126.020**, **66.04.010**, **66.08.180**, **66.16.100**, **66.20.010**, **66.20.300**, **66.20.310**, **66.24.150**, **66.24.170**, **66.24.185**, **66.24.200**, **66.24.206**, **66.24.210**, **66.24.230**, **66.24.240**, **66.24.244**, **66.24.250**, **66.24.375**, **66.24.380**, **66.24.395**, **66.24.400**, **66.24.420**, **66.24.425**, **66.24.440**, **66.24.450**, **66.24.455**, **66.24.495**, **66.24.540**, **66.28.010**, **66.28.040**, **66.28.050**, **66.28.170**, **66.28.180**, **66.28.190**, **66.28.200**, **66.28.310**, **66.44.190**, **66.44.310**, **66.98.060** and **82.08.150**. WSR 98-18-097, § 314-52-115, filed 9/2/98, effective 10/3/98. Statutory Authority: RCW **66.08.030**. WSR 94-06-022, § 314-52-115, filed 2/22/94, effective 3/25/94. Statutory Authority: RCW **66.08.030** and **66.98.070**. WSR 82-17-031 (Order 108, Resolution No. 117), § 314-52-115, filed 8/11/82. Statutory Authority: RCW **66.08.030**, **66.08.060** and **66.98.070**. WSR 80-09-078 (Order 73, Resolution No. 82), § 314-52-115, filed 7/18/80; Order 46, § 314-52-114 (codified as WAC 314-52-115), Rule 126.5, filed 6/9/76; Order 10, § 314-52-114, Rule 126.5, filed 10/27/70, effective 11/27/70. Formerly WAC 314-40-090 (part), Rule 111, filed 6/13/63.]