

WAC 314-02-025 What are the floor space requirements to obtain and maintain a spirits, beer, and wine restaurant license or a beer and wine restaurant license?

(1) The liquor and cannabis board has the responsibility to classify what licensed premises or what portions of the licensed premises are off-limits to minors per RCW 66.44.310(2). Minors may not purchase, possess, or consume liquor, and may not enter any areas that are classified as off-limits to minors per RCW 66.44.290 and 66.44.310. The purpose of this rule is to clarify the ways in which licensees can prevent minors from consuming alcohol or entering areas classified as off-limits to minors.

(2) Dedicated dining areas - If a spirits, beer, and wine restaurant licensee or a beer and wine restaurant licensee that allows minors chooses to have live music, Karaoke, patron dancing, live entertainment, or contests involving physical participation by patrons in the dedicated dining area after 11:00 p.m., the licensee must either:

(a) Request board approval to reclassify the dining area to a lounge for the period of time that live entertainment is conducted, thus restricting minors during that time; or

(b) Notify the board in writing at least forty-eight hours in advance that the sale, service, and consumption of liquor will end in the dedicated dining area after 11:00 p.m.

Requests or notifications may cover one event or a series of recurring events over a period of time.

(3) A licensed premises must have a clear demarcation between dedicated dining areas and areas classified as off-limits to minors.

(a) Demarcation means a dividing line that must clearly separate areas classified as off-limits to minors from dedicated dining areas.

(b) Demarcation options available to applicants and licensees, subject to approval by the board, include:

(i) Visibly different and contrasting flooring;

(ii) Steps or ramps up or down;

(iii) Walls, half-walls, or forty-two inch barriers, where entrances to the areas classified as off-limits to minors are not more than ten feet wide;

(iv) Permanently affixed stanchions, pillars, or posts at least six inches wide and placed no more than ten feet apart;

(v) Stationary planters at least six inches wide and placed no more than ten feet apart; and

(vi) Permanently affixed floor lighting or beacons placed no more than ten feet apart.

(c) Other demarcation options may be approved at the board's discretion.

(d) Demarcation does not include tape, paint, or stickers on floors, walls, or ceilings.

(e) Once the floor plan is approved by the board the demarcation cannot be moved or changed without prior board approval.

(f) "Minor prohibited" signs, as required by WAC 314-11-060(1), must be posted and clearly visible to patrons who are:

(i) Approaching the area(s) classified as off-limits to minors; and

(ii) Inside the area(s) classified as off-limits to minors.

(4) A spirits, beer, and wine restaurant licensee or a beer and wine restaurant licensee may request the board reclassify their off-limits area(s) as open to minors for regularly scheduled or special events. Reclassifying an off-limits area is considered an alteration to a licensed premises under WAC 314-03-300 and must be approved by the board prior to the event.

(5) If the business allows minors, the business's primary entrance must open directly into a dedicated dining area or into a neutral area, such as a lobby or foyer, that leads directly to a dedicated dining area. Minors must be able to access restrooms without passing through a lounge or other age-restricted area.

(6) **Floor plans** - When applying for a license, the applicant must provide to the board a detailed drawing of the entire premises. The drawing must:

(a) Be drawn to scale;

(b) Have all areas labeled according to their use; e.g., dining, lounge, gaming, kitchen, etc.; and

(c) Have all demarcations that separate dedicated dining areas from areas classified as off-limits to minors labeled and described in detail.

(7) **Convention centers** - To qualify as a convention center a premises must have two or more rooms that provide space and accommodations for private events only. Convention center licensees may only sell alcohol for private events at the licensed premises.

[Statutory Authority: RCW 66.08.030 and 66.44.310. WSR 20-03-180, § 314-02-025, filed 1/22/20, effective 2/22/20. Statutory Authority: RCW 66.08.030. WSR 17-12-030, § 314-02-025, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-025, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-025, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-025, filed 3/15/00, effective 4/15/00.]