Chapter 314-38 WAC
PERMITS

WAC

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WAC 314-38-010 Serve employees and guests permit under Title 66 RCW. (1) The special permit provided by RCW 66.20.010(4) to consume liquor on the premises of a business not licensed under Title 66 RCW shall only be issued to businesses at which the service and consumption of liquor is incidental to, and does not form a portion of, the service the business is engaged in producing or marketing. The permit shall not be used by the holder thereof for purposes of stimulating or increasing business from the general public.

(2) Each permit shall be issued for a period of twelve months from the first day of the month in which it is issued. The fee for each permit issued shall be five hundred dollars.

(3) The permit shall be issued for, and service and consumption of liquor will be limited to, specified hospitality rooms and/or dining rooms which shall be on the premises of the business applying for the permit. A separate permit is required for each business premises at which liquor is to be served or consumed. The general public shall not be permitted in the hospitality or dining room at any time during the service or consumption of liquor.

(4) The permit will authorize the service and consumption of liquor, without charge, by employees and invited guests of the business holding the permit. No sale of liquor will be authorized in any manner, whether by scrip, donation, contribution, or otherwise. No charge of any kind may be made by the permittee to invited guests for admission to the hospitality or dining room, or for any meals or other services provided to them in the hospitality or dining room.

(5) All liquor served or consumed under the permit shall be purchased from a Washington state licensed retailer at full retail price.

(6) The permit shall be issued in the name of the business applying for it, and that business shall not allow any other person, business, or organization to utilize the permit. The issuance of any permit by the board shall not be construed as granting a vested right in any of the privileges so conferred, and a misrepresentation of fact found to have been made by the applicant or permittee shall be deemed a lack of good faith and shall constitute good and sufficient cause for the disapproval of a permit application or for the revocation or suspension of any permit issued by the board.

[Statutory Authority: RCW 66.08.030 and 66.08.050. WSR 12-17-006, § 314-38-010, filed 8/1/12, effective 9/1/12. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 82-13-068 (Order 106, Resolution No. 115), § 314-38-010, filed 6/16/82.]

WAC 314-38-020 Permits—Fees established. The fees for permits authorized under RCW 66.20.010 are hereby established as follows:

(1) A fee of five dollars is established for a special permit as authorized by RCW 66.20.010(1).

(2) The fee for a special permit as authorized by RCW 66.20.010(2) for purchase of five gallons or less is established as five dollars and for purchase of over five gallons is established as ten dollars.

(3) A fee for a banquet permit, as authorized by RCW 66.20.010(3), is established in WAC 314-18-040.

(4) The fee for a special business permit, as authorized by RCW 66.20.010(4), is established in WAC 314-38-010 (2).

(5) The fee of ten dollars is established for a special permit as authorized by RCW 66.20.010(5).

(6) A fee of five dollars is established for a special permit as authorized by RCW 66.20.010(6).

(7) A special permit as authorized by RCW 66.20.010(7) shall be issued without charge to those eligible entities.

(8) The fee of twenty-five dollars is established for a special permit as authorized by RCW 66.20.010(8).

(9) The fee of twenty-five dollars is established for a special permit as authorized by RCW 66.20.010(9).

(10) The fee of thirty dollars is established for a special permit as authorized by RCW 66.20.010(10).

(11) The fee of seventy-five dollars is established for a special permit as authorized by RCW 66.20.010(11).

(12) The fee of ten dollars is established for a special permit as authorized by RCW 66.20.010(13).

(13) The fee of ten dollars is established for a special permit as authorized by RCW 66.20.010(14).

(14) The fee of ten dollars is established for a special permit as authorized by RCW 66.20.010(15).

(15) The fee of twenty-five dollars is established for a special permit as authorized by RCW 66.20.010(16).

(16) The fee of twenty-five dollars is established for a special permit as authorized by RCW 66.20.010(17).

[Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-38-020, filed 2/7/18, effective 3/10/18. Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-020, filed 4/5/17, effective 5/6/17. Statutory Authority: RCW 66.08.030, 66.20.010 and 66.98.070. WSR 84-14-028 (Order 145, Resolution No. 154), § 314-38-020, filed 6/27/84; WSR 83-23-123 (Order 133, Resolution No. 142), § 314-38-020, filed 11/23/83.]

WAC 314-38-030 Fee for replacement of a lost or destroyed license or permit. (1) A fee of five dollars is established for replacement by the board of a lost or destroyed agent's license issued pursuant to RCW 66.24.310.

(2) The fee of five dollars is established for replacement by the board of a lost or destroyed retail or wholesale liquor license of any class.

[Statutory Authority: RCW 66.08.030, 66.20.010 and 66.98.070. WSR 83-23-123 (Order 133, Resolution No. 142), § 314-38-030, filed 11/23/83.]

WAC 314-38-040 Beverage alcohol raffle permit—Fee. (1) Any organization authorized to conduct a raffle under RCW 9.46.0315 may raffle beverage alcohol upon obtaining a raffle permit from the board. The fee for a raffle permit shall be ten dollars for a one-time raffle permit or twenty-five dollars for an annual permit.

(2) An application for a raffle permit shall be on a form prescribed by the board and filed with the board at the headquarters office in Olympia thirty days in advance of the commencement of ticket sales.

(3) An application for a raffle permit must contain the following information:

(a) The full name of the bona fide charitable or bona fide nonprofit organization with verification of qualification as prescribed in RCW 9.46.0209;

(b) Name, address, and phone number of the organization officer in charge of the raffle

(c) The date the raffle ticket sales will commence;

(d) The date, time and exact location of the drawing;

(e) A description of the beverage alcohol being raffled including its estimated value;

(f) And the source of the alcohol to be raffled.

(4) An organization officer must certify that:

(a) Only organization members may purchase tickets or be awarded prizes;

(b) The organization meets the qualifications of a bona fide charitable or bona fide nonprofit organization as provided in RCW 9.46.0209;

(c) The organization will not sell more than $5,000 dollars worth of raffle tickets in a calendar year;

(d) The organization will not sell raffle tickets to anyone under twenty one years of age when alcohol is awarded as a prize.

(5) Alcohol to be raffled must have all applicable Washington State taxes paid and may only be:

(a) Purchased at retail or

(b) Donated by a private citizen.

(6) Upon application being filed and fee paid the board may issue a raffle permit. The raffle permit will state the:

(a) Organization name,

(b) Address,

(c) Date and time of the drawing,

(d) Effective dates of the raffle permit.

(e) And a description of the alcohol to be raffled.

(7) The raffle permit shall be posted at the location of the drawing prior to and during the drawing. The organization or person in charge of the raffle shall; when requested by any representative or agent of the board and/or any law enforcement officer; exhibit to such person the raffle permit and shall allow such person to inspect the raffle items at any time.

[Statutory Authority: RCW 66.08.030. WSR 92-01-079, § 314-38-040, filed 12/16/91, effective 1/16/92.]

WAC 314-38-050 Serve employees and guest permit—Purpose—Use. (1) The purpose of a serve employees and guests permit as authorized by RCW 66.20.010(4) is to:

(a) Allow for the consumption of liquor products in private businesses; and

(b) Not to compete with liquor licensed establishments.

(2) All liquor served by holders of a serve employees and guests permit must be purchased at retail from the board or a retail liquor licensee.

(3) Liquor may not be sold by holders of a serve employees and guests permit, but may be provided at no charge for consumption on the premises of the permit holder.

(4) The holder of a serve employees and guests permit may serve liquor for no more than twenty-four hours during any weekly (168 hour) period.

(5) While the serve employees and guests permit holder may advertise their business services, no liquor service shall be advertised.

[Statutory Authority: RCW 66.08.030 and 66.08.050. WSR 12-17-006, § 314-38-050, filed 8/1/12, effective 9/1/12. Statutory Authority: RCW 66.08.-030. WSR 93-20-031, § 314-38-050, filed 9/27/93, effective 10/28/93.]

WAC 314-38-060 Special permit for technical or community colleges, regional university, or state university as authorized by RCW 66.20.010(12) shall be called a class 15 permit. (1) The class 15 permit allows tasting of alcohol by persons between eighteen and twenty years old. The requirements for a class 15 permit are as follows:

(a) The permit applicant is a technical or community college, regional university, or state university;

(b) The permit allows tasting, not consuming of alcohol as part of the class curriculum with approval of the educational provider;

(c) The student must be enrolled in a required or elective class at the college premises as part of a culinary, sommelier, wine business, enology, viticulture, beer technology, wine technology, or spirituous technology-related degree program;

(d) The alcohol served to any person in the program under twenty-one years of age is tasted but not consumed for the purpose of educational training as part of the class curriculum with the approval of the educational provider;

(e) Faculty or staff of the educational provider must be at least twenty-one years of age, supervise the service and tasting, and hold a class 12 or class 13 alcohol server permit; and

(f) Students may not purchase the alcoholic beverages.

(2) There is no annual fee for this permit.

[Statutory Authority: RCW 66.08.030. WSR 16-01-102, § 314-38-060, filed 12/16/15, effective 1/16/16; WSR 14-03-078, § 314-38-060, filed 1/15/14, effective 2/15/14.]

WAC 314-38-070 Class 16 day spa permit. (1) "Day spa" is defined as a business that offers at least three of the following four service categories:

(a) Hair care (haircut, hair color, perms, etc.);

(b) Skin care (facials, makeup application);

(c) Nail care (manicure, pedicure); and

(d) Body care (massage, wraps, waxing).

(2) The holder of a Class 16 day spa permit may offer complimentary wine or beer by the individual glass under the following conditions:

(a) Customers must be at least twenty-one years of age;

(b) Spa services must last more than one hour;

(c) A customer may consume no more than one six ounce glass of wine or one twelve ounce glass of beer per day;

(d) Employees involved in the service of wine or beer must complete a board-approved limited alcohol server training program;

(e) Permit holders may not advertise the service of complimentary wine or beer;

(f) Wine and beer must be purchased from a Washington state licensed retailer;

(g) The permit must be posted in a conspicuous area at the point of sale; and

(h) At least three of the service area categories must be in separate areas of the spa.

(3) The board has the right to inspect the premises and business records at any time.

(4) The annual fee for this permit is one hundred twenty-five dollars.

(5) Where the holder of any permit issued under this title violates any provision of this title or of the regulations, or is an interdicted person, or is otherwise disqualified from holding a permit, the board, upon proof to its satisfaction of the fact or existence of such violation, interdiction, or disqualification, and in its discretion, may with or without any hearing, suspend the permit and all rights of the holder thereunder for such period as the board sees fit, or may cancel the permit.

[Statutory Authority: RCW 66.08.030. WSR 14-20-046, § 314-38-070, filed 9/24/14, effective 10/25/14.]

WAC 314-38-080 Class 18 special winery permit. (1) The special winery permit is for domestic wineries.

(2) A special winery permit allows a manufacturer of wine to be present at a private event not open to the general public at a specific place and date for the purpose of tasting wine and selling wine of its own production for off-premises consumption.

(3) The winery must obtain the special permit by submitting an application for a class 18 special winery permit to the board with a ten dollar permit fee.

(a) The application must be submitted to the board at least ten days prior to the event.

(b) The special permit must be posted at the event.

(4) The winery is limited to twelve events per calendar year.

[Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-080, filed 4/5/17, effective 5/6/17. Statutory Authority: RCW 66.08.-030. WSR 16-01-102, § 314-38-080, filed 12/16/15, effective 1/16/16.]

WAC 314-38-090 Class 19 special distillery permit. (1) A special distillery/craft distillery permit is for Washington distillers only.

(2) A special distillery/craft distillery permit allows a manufacturer of spirits to be present at a private event not open to the general public at a specific place and date for the purpose of tasting spirits and selling spirits of its own production for off-premises consumption.

(3) The activities at the event are limited to the activities allowed on the distillery/craft distillery premises.

(4) The distillery or craft distillery must obtain the special permit by submitting an application for a class 19 special distillery/craft distillery permit to the board with a ten dollar permit fee.

(a) The application must be submitted to the board at least ten days prior to the event.

(b) The special permit must be posted at the event.

(5) The licensee is limited to twelve events per calendar year.

[Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-090, filed 4/5/17, effective 5/6/17. Statutory Authority: RCW 66.08.-030. WSR 16-01-102, § 314-38-090, filed 12/16/15, effective 1/16/16.]

WAC 314-38-095 Class 20 special brewery permit. (1) A special brewery/microbrewery permit is for Washington brewers only.

(2) A special brewery/microbrewery permit allows a manufacturer of beer to be present at a private event not open to the general public at a specific place and date for the purpose of tasting beer and selling beer of its own production for off-premises consumption.

(3) The brewery or microbrewery must obtain the special permit by submitting an application for a class 20 special brewery/microbrewery permit to the board with a ten dollar permit fee.

(a) The application must be submitted to the board at least ten days prior to the event.

(b) The special permit must be posted at the event.

(4) The licensee is limited to twelve events per calendar year.

[Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-095, filed 4/5/17, effective 5/6/17.]

WAC 314-38-100 Accommodation sale permit. (1) An accommodation sale permit is for an individual or business to sell a private collection of wine or spirits to another individual or business.

(2) The seller must complete an application for accommodation sale permit and submit with a fee of twenty-five dollars to the WSLCB.

(3) Once the WSLCB verifies the information on the application, a permit for the sale will be issued to the seller.

(4) The seller must wait at least five business days after receiving the permit to release the wine and/or spirits to the buyer.

(5) Within twenty calendar days of the sale, the seller must complete an accommodation sale inventory report and submit it to the WSLCB.

(6) The following are definitions for the purpose of this section:

(a) "Accommodation sale" means the sale of a private collection of wine or spirits to an individual or business. Both the seller and the buyer must be located in Washington state.

(b) "Buyer" means the individual or business buying a private collection of wine or spirits. A buyer may be a liquor licensee.

(c) "Private collection" means a privately owned collection of wine or spirits. There is no minimum or maximum quantity to be considered a collection.

(d) "Seller" means the individual or business selling a private collection of wine or spirits. The seller cannot be a liquor licensee.

[Statutory Authority: RCW 66.08.030 and 66.20.010. WSR 17-08-099, § 314-38-100, filed 4/5/17, effective 5/6/17.]

WAC 314-38-110 Nonprofit wine auction permit. (1) A nonprofit auction permit is for a nonprofit organization to sell wine through a private auction not open to the public.

(2) The nonprofit organization must complete a nonprofit wine auction permit application and submit the application and fee to the WSLCB.

(a) The date and location of the auction must be specified on the application.

(b) The one-time event fee is twenty-five dollars multiplied by the number of wineries that are selling wine at the auction event.

(c) A list of event attendees must be submitted with the wine auction permit application.

(3) The holder of the permit may conduct wine tastings of the wine to be auctioned at the event.

(4) All wine sold by auction cannot be consumed during the event.

(5) Wine from multiple wineries may be sold at the auction. Each winery must be listed on the application.

(6) The permit must be posted in a conspicuous location at the premises for which the permit was issued during all times the permit is in use.

[Statutory Authority: RCW 66.24.010, 66.24.035, and 66.24.330. WSR 18-04-116, § 314-38-110, filed 2/7/18, effective 3/10/18.]