

**WAC 314-55-160 Objections to marijuana license applications.**

(1) **How can persons, cities, counties, tribal governments, or port authorities object to the issuance of a marijuana license?** Per RCW 69.50.331, the WSLCB will notify cities, counties, tribal governments, and port authorities of the following types of marijuana applications. In addition to these entities, any person or group may comment in writing to the WSLCB regarding an application.

<b>Type of application</b>	<b>Entities the WSLCB will/may notify</b>
<ul style="list-style-type: none"><li>• Applications for an annual marijuana license at a new location.</li></ul>	<ul style="list-style-type: none"><li>• Cities and counties in which the premises is located will be notified. Tribal governments and port authorities in which the premises is located may be notified.</li></ul>
<ul style="list-style-type: none"><li>• Applications to change the class of an existing annual marijuana license.</li></ul>	
<ul style="list-style-type: none"><li>• Changes of ownership at existing licensed premises.</li></ul>	<ul style="list-style-type: none"><li>• Cities and counties in which the premises is located will be notified. Tribal governments and port authorities in which the premises is located may be notified.</li></ul>

(2) **What will happen if a person or entity objects to a marijuana license application?** When deciding whether to issue or deny a marijuana license application, the WSLCB will give substantial weight to input from governmental jurisdictions in which the premises is located based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises; and other persons or groups. Note: Per RCW 69.50.331, the WSLCB shall not issue a new marijuana license if any of the following are within one thousand feet of the premises to be licensed: Any elementary or secondary schools, playgrounds, recreation centers or facilities, child care centers, public parks, public transit centers, libraries, game arcade where admission is not restricted to persons twenty-one years of age or older.

(a) If the WSLCB contemplates issuing a license over the objection of a governmental jurisdiction in which the premises is located, the government subdivision may request an adjudicative hearing under the provisions of the Administrative Procedure Act, chapter 34.05 RCW. If the WSLCB, in its discretion, grants the governmental jurisdiction(s) an adjudicative hearing, the applicant will be notified and given the opportunity to present evidence at the hearing.

(b) If the WSLCB denies a marijuana license application based on the objection from a governmental jurisdiction, the applicant(s) may either:

(i) Reapply for the license no sooner than one year from the date on the final order of denial; or

(ii) Submit a written request on a form provided by the WSLCB for an adjudicative hearing under the provisions of the Administrative

Procedure Act, chapter 34.05 RCW. The request must be received within twenty days of the date the intent to deny notification was mailed.

[Statutory Authority: RCW 69.50.342 and 69.50.345. WSR 16-11-110, § 314-55-160, filed 5/18/16, effective 6/18/16. Statutory Authority: RCW 69.50.325, 69.50.331, 69.50.342, 69.50.345. WSR 13-21-104, § 314-55-160, filed 10/21/13, effective 11/21/13.]