



STATE OF WASHINGTON
WASHINGTON STATE LIQUOR CONTROL BOARD
3000 Pacific Ave SE • PO Box 43075 Olympia WA 98504-3075 • (360) 664-1600

A RESOLUTION OF THE WASHINGTON STATE LIQUOR CONTROL BOARD RECOGNIZING THE CITY OF SEATTLE'S CENTRAL CORE AND NORTH ALCOHOL IMPACT AREAS

Whereas, the Board recognizes its statutory mandate to protect the public's welfare, health, peace, and safety and its responsibility to work with communities to help mitigate negative impacts of chronic public inebriation associated with the sale of alcohol by the businesses it regulates.

Whereas, in recognition of this mandate, in 1999, the Liquor Control Board adopted the Alcohol Impact Area rules, Washington Administrative Code (WAC) 314-12-210 through WAC 314-12-225. These rules establish a framework for the Liquor Control Board, working in partnership with local government and community organizations, to mitigate negative impacts that result from the presence of chronic public inebriation. Preventing and reducing the harm caused by alcohol consumption requires a comprehensive, multi-dimensional response by neighborhood residents, businesses, and government agencies, including coordinated treatment services, health care, housing services and vocational training. Mandatory restrictions on alcohol sales imposed by the Board are a key element in the effort to mitigate the negative impacts of chronic public inebriation.

Whereas, WAC 314-12-215 sets forth the requirements that the government subdivision must satisfy in order for the Liquor Control Board to recognize the proposed Alcohol Impact Areas.

Whereas, the city of Seattle has designated by Ordinance No. 121487 the proposed Alcohol Impact Areas. The boundaries of the proposed Alcohol Impact Areas are understandable to the public and the liquor licensees within the area are determinable, per the requirements of WAC 314-12-215:

Central Core Area (5.71 square miles):

The Central Core Alcohol Impact Area is that area circumscribed by the intersection of the following boundaries, including in all instances both sides of each boundary street. This area includes Belltown, Capitol Hill, Lower Queen Anne, International District, First Hill, Central Area, and S Lake Union. (The Pioneer Square AIA is located within this area).
West Boundary - Elliott Ave W/Elliott Av to Broad St to Alaskan Way/Alaskan Way S
South Boundary - S Royal Brougham Way to I-90 to Martin Luther King Jr. Way S to S. Norman St to 29th Ave S
East Boundary - 29th Ave S to S Dearborn St to 29th Ave S to 29th Ave to 29th Ave E to E Madison St to 29th Ave E to E Roy St to 29th Ave E

North Boundary - E Aloha St to Boylston Ave E to Bellevue Pl E to Belmont Ave E to Lakeview Blvd. E, crossing over the Eastlake Ave E right-of-way and Fred Hutchinson campus to Ward St to Fairview Ave N to Valley St to Westlake Ave N to Aloha St to 8th Ave N to Valley St to Queen Anne Ave N to W Queen Anne Driveway to W Olympic Pl to 3rd Ave W to W Mercer St to W Mercer Pl

North Area (.78 square miles):

The North Alcohol Impact Area is that area circumscribed by the intersection of the following boundaries, including in all instances both sides of each boundary street. This area consists of the University District.

West Boundary - Latona Ave NE (connecting via NE 42nd St and NE 50th St along the way).

South Boundary - NE Pacific Street to NE Northlake Way

East Boundary - 15th Avenue NE

North Boundary - NE 60th Street (on both sides of I-5 and across the I-5 right-of-way) to NE Ravenna Blvd.

Whereas, the city of Seattle's request meets the requirements for Board recognition in WAC 314-12-215(2) by including findings of fact pertaining to the presence of chronic public inebriation. Seattle's Ordinance No. 121999, which directed the Police Chief and Department of Neighborhoods to request Board recognition of the Central Core and North Alcohol Impact Area, (1) finds that crime statistics, police reports, emergency response data, detoxification reports, sanitation reports, and public health records demonstrate that chronic public inebriation and illegal activity associated with alcohol sales and consumption within the Central Core and North areas continue to contribute to the deterioration of the general quality of life within this area; (2) finds that based on the several-year efforts of the Chronic Public Inebriate Systems Solution Committee, a comprehensive strategy has been developed to reduce chronic public inebriation; and (3) these efforts include the expansion and improvement of access to treatment, housing, case management, vocational development and law enforcement.

Whereas, the city of Seattle satisfies the requirements of WAC 314-12-215(4) that the city tried to control the problem through voluntary efforts with the liquor licensees in the alcohol impact area for at least six months. The city's efforts were unsuccessful in obtaining the voluntary cooperation of all the licensees with off-premises alcohol sales.

Whereas, the city of Seattle requests that the Liquor Control Board impose mandatory restrictions on the off-premises sale of alcohol by licensees in the proposed Central Core and North Alcohol Impact Areas. Specifically, the city requests the following restriction:

- (1) no sales of certain low cost/ high alcohol content beer and wine products identified by a banned products list.

Whereas, the city of Seattle requests that the Liquor Control Board impose an additional mandatory restriction on the off-premises sale of alcohol by licensees in the Pioneer Square Alcohol Impact Area. Currently there are two mandatory restrictions, (1) no off-premises sales of alcohol between 6am and 9am, (2) no off-premises sales of beer products by the single container, and (3) no off-premises sales of certain wine products identified by a banned products list. These restrictions remain in effect. The city is requesting the addition of the following mandatory restriction in the Pioneer Square Alcohol Impact Area:

- (1) no sales of certain low cost/ high alcohol content beer products identified by a banned products list.

Whereas, in accordance with WAC 314-12-220, a study was conducted of the first Board-recognized Alcohol Impact Area, which is in the urban core of Tacoma. Study results indicated there were positive changes in the Tacoma Alcohol Impact Area since its designation and that Alcohol Impact Area restrictions imposed by the Board have been effective, in conjunction with other community efforts, to address the problems associated with chronic public inebriation. The banned products list proposed by the city of Seattle contains the same beer and wine products banned in the Tacoma AIA.

Whereas, in reaching our decision, the Board has duly considered the city of Seattle's Final Report, testimony provided at the June 29 and July 27, 2006 public hearings, written comments received from stakeholders and the public regarding Seattle's request, and LCB staff presentation at a public board work session on August 23, 2006.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. The Board resolves to recognize the Alcohol Impact Areas requested by the city of Seattle as described in Ordinance No. 121487.

Section 2. Because of the recognition, the Board will immediately apply the extended review process for liquor license applications and renewals for licenses inside the alcohol impact area as outlined in WAC 314-12-215(7).

Section 3. The Board resolves to impose the following mandatory restrictions requested by the city of Seattle, to take effect **November 1, 2006**:

No sales of the following beer and wine products listed in Appendix B of the Final Report and the addendum sent by the city of Seattle on August 11, 2006. All flavors, alcohol content, and container sizes of the following named products are hereby banned from off-premise sale by licensees in the alcohol impact area.

Beer and Malt Products – 23

Bull Ice
Busch Ice
Colt 45 Ice
Colt 45 Malt Liquor
Hurricane Ice Malt Liquor
Keystone Ice
Lucky Ice Ale Premium
Mickey's Iced Brewed Ale
Mickey's Malt Liquor
Miller High Life Ice
Milwaukee Best Ice
Milwaukee Best Premium Ice Beer
Natural Ice
Old Milwaukee Ice
Olde English 800
Pabst Ice
Rainier Ale
Red Bull Malt Liquor
Red Dog
Schmidt's Ice
Special 800 Reserve
St. Ide's Liquor and Special Brews
Steel Reserve

Wine Products - 6

Cisco
Gino's Premium Blend
MD 20/20
Night Train Express
Richard's Wild Irish Rose
Thunderbird

The Board resolves that these restrictions are reasonably related to addressing the problem of chronic public inebriation demonstrated to exist in the Alcohol Impact Areas.

The Board further resolves that such restrictions are reasonable control measures aimed at mitigating the negative effects of chronic public inebriation and are necessary to augment the city of Seattle's efforts to address such problems within the defined Alcohol Impact Areas.

Section 4. The city of Seattle shall submit bi-annual updates containing statistical data and litter pickup information showing how the restrictions imposed herein have mitigated the negative impacts of problems associated with chronic public inebriation in the recognized Alcohol Impact Areas. The first report is due by June 30, 2007 to the Director of the Board’s Licensing and Regulation Division. The report shall include information regarding the evaluation as provided for in the city of Seattle’s ordinance that states:

“If the Washington State Liquor Control Board imposes restrictions as requested in this ordinance, the Council intends that the City evaluate the effects of the restrictions on chronic public inebriation and illegal activity associated with alcohol sales or consumption, ideally in cooperation with the Liquor Control Board; and the evaluation of the effects of the restrictions should use the best feasible and affordable scientific methods, should include an analysis of secondary data and a systematic survey of public perceptions of chronic public inebriation and illegal activity associated with alcohol sales or consumption, should compare secondary data and public perceptions before the restrictions are imposed and twelve to eighteen months after they are imposed, and should compare the Central Core and North Alcohol Impact Areas to neighborhoods adjacent to these areas and to the rest of the city, and provide a report from the evaluation to the Housing, Human Services and Health Committee; and the Council requests the Department of Neighborhoods and Police Department to present a plan for evaluating the restrictions before the restrictions are imposed.”

Signed and Dated: August 30, 2006

Merritt D. Long
Chairman

Vera Ing
Board Member

Roger Hoen
Board Member