

TO: Officers, Directors, Trustees, House Committees, Managers and Members of Licensed Nonprofit Private Clubs:

Congratulations on having been selected for a position of trust and responsibility. Private clubs play an important role in our state, and we wish you well in the civic, humanitarian, social and recreational programs to which you are dedicated.

The Board has always viewed private clubs differently from those establishments that are open to the general public. Private clubs are viewed as a member’s second home with the family being an integral part of the club structure.

The Liquor Board’s primary method of operation is to work with licensees to achieve voluntary compliance with the law. In order to assist you in understanding and complying with the liquor laws and rules, we have compiled the most frequently asked questions about clubs and listed them along with their answers and location in the law book. A copy of the liquor laws and regulations may be purchased for a nominal fee. An order form is in the back of this book.

Your local liquor control agent will be happy to meet with you to provide suggestions or to assist in any way possible. A listing of Board offices is in the back of this book.

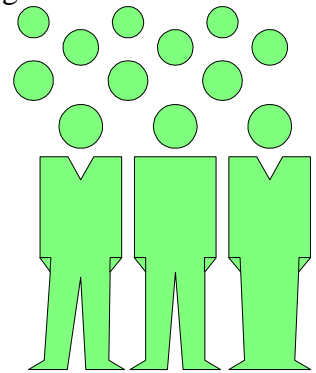


TABLE OF CONTENTS

	<u>PAGE</u>
Advertising	6
Banquet Permits and Clubs	7
Private Club License Operations	10
Enforcement and Education Division Offices	17
General Club Questions	2
Liquor Questions	12
Mandatory Alcohol Server Training Providers	16
Raffle Permit	14
Records and Record Keeping	14
Training for Club Managers and Employees	15

GENERAL CLUB QUESTIONS

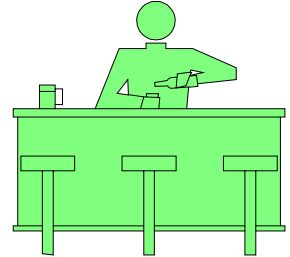
1. *What does the Liquor Board mean when it talks about “club privileges?”*

A: When referring to “club privileges,” the Liquor Board is referring to the right to purchase and consume club liquor.

2. *Who can purchase and consume club liquor?*

A: Those entitled to purchase club liquor are:

- members of the club - a member is a person(s) who has been sponsored into membership by another member, has completed an application for membership, been investigated and voted into membership and is current with club dues.
- a guest card holder - a person who lives outside the local club area (see WAC 314-40-040) (1)) who is extended club privileges for a period not to exceed two weeks time.
- bona fide visitors - a visitor is a person who is either invited to the club by a member or guest card holder, or a person who accompanies a member or guest card holder to the club.
- Courtesy card holder - an adult member of the immediate family of a club member who has been issued a courtesy card.
- social, honorary and auxiliary members (any category of membership spelled out in the club bylaws) and
- those persons who are members in good standing of other clubs having authorized reciprocal privileges



If a club member brings a visitor into the club, the member is not required to buy the visitor’s drinks. The visitor may buy his/her own drink.

3. *Is there **any** time that a club is allowed to serve club liquor to the general public?*

A: **One day per calendar year** a private club may hold a public membership drive where the club liquor may be provided at no charge or sold to those attending. This may not coincide with any civic celebration and must be promoted as a membership drive in any advertising. (WAC 314-40-040{6})

4. *Are “members of intent” entitled to club liquor?*

A: A member of intent is an individual who has submitted a completed application with the appropriate fee. If a member of intent has been investigated and balloted upon, the club may accord the individual full club privileges which would include club liquor. (WAC 314-40-030)

5. *May a member of a club bring his/her liquor (from home) to the club for storage and consumption on the club premises?*

A: Yes. Bona fide members may possess and consume their own liquor at any time and in any part of the club premises as permitted under the bylaws and/or house rules, provided they are not displaying signs of intoxication. (314-40-040 {1})



6. *What is the difference between a “visitor” and a “guest”?*

A: A visitor is an individual who is brought to or met at the club by a member. A visitor must be known to the member and the member must remain in the club at all times the visitor is in the club. (WAC 314-40-040 {2})

A guest is a friend of a member who has been issued a guest card for a period not to exceed two weeks. The guest must live outside the boundaries set by the board rule. (WAC 314-40-040{1})

7. *Must a member remain in the physical company of the visitor at all times the visitor is in the club?*

A: No. As long as the member and visitor are both in the club at the same time the requirement of the rule is satisfied.

8. *Is there a limit to the number of visitors that a member may bring in?*

A: No. As long as visitors are bona fide guests of the member.

9. *Are visitors required to sign in each time they visit the club with a member?*

A: No. There is no liquor law that requires a visitor to sign in. The sign in requirement is self imposed by many club bylaws or house rules. The sign in requirement is an excellent tool to keep track of visitors.

10. *How many times a year may a member introduce the same visitor into the club?*

A: The Board rule states that a visitor may only enjoy the privileges of the club a reasonable number of times per year. Many clubs have interpreted the term “reasonable” in their own house rules or bylaws to mean three times a year; yet,

the term “reasonable” means just that - it cannot be excessive. (WAC 314-40-040{2})

11. Who may obtain a courtesy card and what are the privileges of courtesy card holders?

A: 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. A courtesy card holder may enjoy the same club liquor privileges as the club member. (WAC 314-40-040{5})

12. How many social members may a club have (when the club’s by laws allow for social members)?

A: Club’s bylaws may allow for social members provided the number of social members does not exceed the number of regular club members.

13. What is a club function?

A: Any event initiated and hosted by an individual club member or the club as a whole which is directly related to the club’s purpose as defined in RCW 66.04.015(5); i.e., fraternal, benevolent, educational, athletic, or social. The club’s stated purpose must be in agreement with its charter and bylaws

For example, a club, as part of its charitable program, may wish to host a dance in support of new equipment for the fire department. All local firefighters and their spouses could be invited as guests of the club and be served club liquor. It would make no difference whether or not the guests had to pay for food and/or drinks. On the other hand, if the firefighters wanted to hold a Fireman’s Ball using the club’s facilities, club liquor could not be served since the event was initiated by the fire department - not the club.



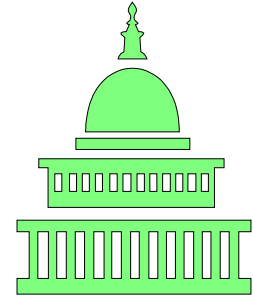
14. The local Lions would like to periodically conduct their business meetings at our club during the noon hour. Almost all Lions members are also club members and the few who aren’t would be signed in as guests. May club liquor be served at these events?

A. No. Club liquor may not be served in any portion of the club being used by an outside group for its own event (meetings, dinners, etc.). Lions members who are also club members, and wish to drink club liquor during the Lions meeting may leave the meeting room and consume liquor in other portions of the club and return to the meeting when they are finished with their drinks. They would not be able to bring club liquor back into the meeting room.

If, however, several club members who are also Lions, wish to informally discuss Lions business over lunch at the club, then they and their guests could be served club liquor.

15. *What about the new “endorsement” I’ve heard about?*

- A. A law passed by the 1998 Legislature allows that a club may purchase an annual endorsement, for \$900 a year, that will allow up to forty (40) nonclub, member sponsored events each year using club liquor.
- Visitors and guests may attend these events only by invitation of the sponsoring member(s).
 - The event may not be open to the general public.
 - Upon the request of any Liquor Control Board representative, the club must provide the following information at least 72 hours prior to the event:
 - ◊ date of the event
 - ◊ time of the event
 - ◊ location of the event
 - ◊ name of the event sponsor
 - ◊ description of the purpose of the event



16. *An employee (or the owner) of XYZ Company wishes to personally invite several employees to his club for a Christmas luncheon. They will use a separate banquet room. May club liquor be served?*

- A: Yes. Regardless of where in the club the function is held, the key factor here is that the employees are invited to the club as the personal bona fide guests of the host member for a function he alone has initiated. Club liquor could not be served if the XYZ Company wanted to have its Christmas luncheon at the club and the member was asked (or offered) to book the luncheon on behalf of the company or an employee of the group. However, the company Christmas party could be held under the “endorsement” mentioned in number 15, above, if the club so chooses.

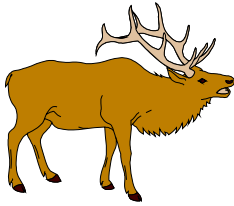
17. *If my company holds a corporate membership, can all employees enjoy the use of the club, including liquor?*

- A: No. Under a corporate membership, a company which may hold more than one membership normally designates two or three members of the firm for each corporate membership held. The conditions for corporate membership must be spelled out in club bylaws.

18. *If my company has a corporate membership, may they hold the company’s annual business meeting in the club and be served club liquor?*

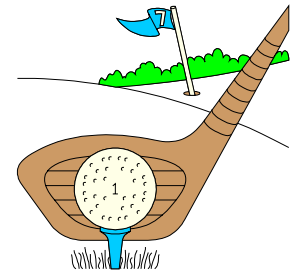
A: No. Even though the corporation holds a membership in the club, an organized business meeting as opposed to simply an informal meeting between members and/or guests where business may be discussed, would **not** be considered a club function. They may hold the business meeting at the club, but they are not entitled to club liquor. This could also be held under the new club “endorsement” mentioned in 15, above, if the club elected to do so.

19. *May members of nationally affiliated clubs enjoy the privileges of our club?*



A: Persons who are members in good standing of national veterans or fraternal organization may enjoy the privileges of any club operated by a local post, chapter or lodge of any such organization provided that the bylaws of such club authorizes reciprocal privileges (WAC 314-40-040{4}).

20. *Can members of non fraternal clubs such as golf, tennis, or yacht clubs enjoy club privileges at other non fraternal golf, tennis or yacht clubs?*



A: Yes, provided the bylaws of such club authorize reciprocal privileges (WAC 314-40-040 {4}).

21. *Can a club give away liquor?*

A: Yes, under certain conditions. For details, contact your local liquor control agent. You may also want to refer to the section in this handbook on raffling liquor, page 17.

ADVERTISING

22. *May a club advertise?*

A. Yes. As long as such advertising does not imply that the club operates a public Spirits, Beer and Wine Restaurant, a Tavern open to the public or that social functions at which club liquor may be consumed are open to the public. Clubs and their auxiliary organizations may advertise through the public media provided the advertising is clearly directed to members only.

- Clubs may advertise that the public is welcome for bingo events as long as the advertising does not mention liquor service being available to the public, (WAC 314-52-115)

23. *Can a club advertise food service that is open to the public?*

A: Yes, meals may be offered, provided such advertising specifies that no liquor service is available to the public. (WAC 314-52-115{1})



BANQUET PERMITS AND CLUBS

A private club's normal exposure to banquet permits and special occasion licenses comes through rental of its facilities or a part of its facilities to outside groups who wish to have liquor as a part of their function. It is the responsibility of the group renting the club's facilities to obtain the banquet permit or special occasion license and purchase and spirits from a liquor store prior to the function. To avoid misunderstanding, confusion or last minute pitfalls, the club manager should make the renter aware that the club liquor cannot be served and that a banquet permit or a special occasion liquor license is required.

REMEMBER, CLUB LIQUOR CAN ONLY BE USED FOR CLUB FUNCTIONS. If a non member wishes to hold a private function at the club (business meeting, retirement party, wedding reception, etc.) - club liquor cannot be used because it is not a **CLUB** function.

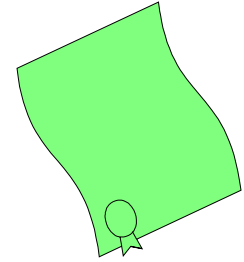
The renter should be told to contact the area liquor control agent who can advise them on the proper authorization (license or permit) for serving liquor. Covering all bases at the onset with the renter reduces the potential for last minute problems. For more information on special occasion licenses, contact your local agent.

24. *What is a banquet permit?*

A: A banquet permit authorizes only the service and consumption of liquor at a banquet or organized gathering of people in a public place or club.

- The function is open to the group members and their invited guests only. The general public must be excluded.
- There may be no advertising of the function directly to the general public.

- Function sponsors and their guests may bring their own liquor and/or the function sponsor may furnish the liquor.
- The sale of liquor, in any manner, is prohibited under a banquet permit.
- A package deal, however, is acceptable. As an example of a package deal, the ABC Club rents out a portion of its club to an organization which sponsors a dinner dance. The organization could, under the package deal concept, provide dinner, “X” amount of cocktails to each attendee and entertainment all for one fee or “package price” (WAC 314-18-020, 314-18-050).



25. *Where do you get a banquet permit and how much does it cost?*

A: Application forms for banquet permits are available in all state liquor stores and agencies and may be issued by the store employee upon completion of the application and payment of the \$10.00 permit fee. Issuance is at the discretion of the store employee.

Since planning is the essential ingredient to any successful banquet or social gathering, it is suggested you contact your nearest Board enforcement office in the **early** planning stages of your function for answers to any questions you have concerning the use of banquet permits (WAC 314-18-030).

26. *If the club rents out a portion of the premises for a private party operating under a banquet permit and the “renter” runs out of refreshments, can these individuals be signed into the regular facility by a club member in their party?*

A: No. A private party operating under a banquet permit in a rented portion of the club is, for all intents and purposes, a non-club function.

The fact that a club member is in attendance at the non-club function does not change the function from a non-club function to an official club function.

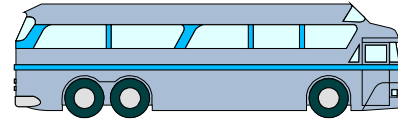
If the non-club party runs out of alcoholic refreshments, it would be contrary to Board regulation to have the one club member (or club members) at the non-club function sign in all nonmembers as visitors - this would violate the intent of the law. These nonmembers would not be bona fide visitors. (WAC 314-40-040)

27. *Can a private club assist the banquet permit holder in dispensing the liquor for a fee?*

A: Yes. A private club may serve the banquet permit group’s liquor for them and charge the group a fee for their service, i.e., the club could provide ice, mixer glasses, even a bartender to dispense the group’s liquor. (WAC 314-18-050)

28. *May a private club obtain a banquet permit for use on a chartered bus?*

- A. Passengers in a public conveyance, chartered for group use may consume **their own alcoholic beverages** and no liquor license or permit is required.



If a private club wishes to charter a bus or buses to attend some function and the persons attending are club members and invited guests, the club would be eligible to obtain a banquet permit for liquor service on the bus. It must be remembered though, that:

- **the club cannot use club liquor.** They must use liquor (beer, wine, spirits) purchased at retail.
- As with any banquet permit, the liquor cannot be sold, however, a package deal is acceptable. For example, a \$50 per person package price entitles a person to a game ticket, transportation, free drinks and snacks.
- **The charter package cannot be advertised to the public.** It can only be advertised to club membership.
- Any leftover liquor cannot be made a part of the club's liquor stock.
- The hours for liquor consumption are 6 a.m. to 2 a.m., even on a bus. (WAC 314-18-050, 314-18-060).

NOTE: IF THE BUS WILL BE TRAVELING OUT-OF-STATE, REMEMBER TO CHECK WITH THE STATE(S) YOU WILL BE TRAVELING THROUGH TO ENSURE YOU HAVE THE REQUIRED PERMITS.

29. *Q: Are minors (persons under 21 years of age) allowed to attend a banquet permit function?*

- A: Yes. However, they are not allowed to consume alcoholic beverages. If minors (persons under 21 years of age) will be attending a banquet permit function, control is an important aspect.

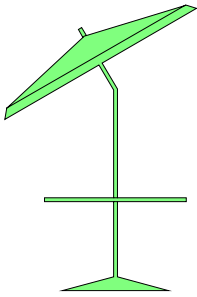
The club should emphasize control to the renting group at the time rental arrangements are made and additionally, club personnel should spot-check the event. (WAC 314-18-070)

30. *When someone has rented a portion of a club and obtained a banquet permit or special occasion license, who is responsible if a liquor violation occurs?*

A: The main responsibility is borne by the banquet permit holder or special occasion licensee. The club is responsible only when it becomes aware, or should have been aware, of the problems and takes no action. (WAC 314-12-125, WAC 314-18-070)

PRIVATE CLUB LICENSE OPERATIONS

31. *May a club member get a drink in the bar and take it out on the patio or golf course to consume it?*



A. If a club has received written permission from the Board for outside liquor service to include a patio, deck, gazebo or golf course area, a member may consume club liquor in those areas. (RCW 66.24.400, WAC 314-16-180 and 314-16-040 {2})

32. *Is it necessary that I take my Private Club License purchase permit to my assigned liquor store each time I purchase discount liquor for my club?*

A. No. First, check with your assigned liquor store manager. If the person picking up the Private Club License discount spirituous liquor order is known by the liquor store employees as a representative of the licensee, it is not necessary for the established individual to present the purchase permit. If you send a new employee or an employee unfamiliar to your assigned store for a liquor order, the permit should be presented the first few times to establish familiarity. If you forget the purchase permit, the store manager may need to call your employer to verify you are an employee of the club. (WAC 314-16-110 {3}).

33. *May martinis, margaritas, etc., be sold by the pitcher?*

A: No. Martinis, margaritas, etc. may not be sold in multiple serving containers: HOWEVER, if the container is a single serving container intended for consumption by one individual it would be permissible. (RCW 66.24.400)

34. *How large a drink may an individual be served? For example, may a Private Club licensee serve a 45 ounce drink?*

A: The answer is neither precise nor entirely clear-cut. The term “individual glass” is the key. The specific size of the container must be characterized as an individual glass.

A legitimate concern should be the amount of beverage alcohol in the individual glass. RCW 66.44.200 and WAC 314-16-150 state in part that: “No... licensee shall... supply liquor... to any person apparently under the influence of liquor.”



The 1998 Legislature also made it a civil infraction, punishable by a fine of up to \$500, for a person who is apparently intoxicated to purchase or consume liquor on a liquor licensed establishment. Protect yourself and your customer - don't over serve liquor.

It is obvious that a drink containing a fifth of spirituous liquor (25.6 ounces) could not be sold to a patron, regardless of the fact that it may be served in an individual glass. The probable consequences of consuming a “special” or large drink must be considered.

Remember, once the drink is served it is not any easy task to either take that drink away or cut that person off (RCW 66.24.400).

35. *Are shared drinks, drinks for two or “community” cocktails legal?*

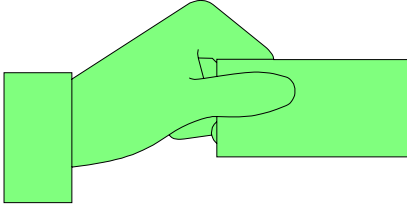
A: No. They would be a violation of the individual glass requirement previously discussed (RCW 66.24.400).

36. *Q: Can minors be in the club?*

A: Yes. Unless club bylaws or house rules state otherwise, minors may frequent and remain in every portion of a private club except the cocktail lounge (RCW 66.44.310).

LIQUOR QUESTIONS

37. *What types of identification are acceptable as proof that a person is 21 years of age or older?*



A: There are six types of identification which may legally be accepted as proof of age where liquor is concerned. They are:

1. A driver's license or instruction permit issued by any U.S. State or Canadian province. (If the customer's Washington driver's license has expired, he or she also must show valid temporary driver's license with the expired card.)
2. U.S. Military I.D. card issued to active duty, reserve, retired personnel and their dependents.
3. Merchant marine I.D. card issue by the United States Coast Guard.
4. A state liquor control card of identification issued by the liquor control authority of any state or province of Canada.
5. A state I.D. card - or "identification card" issued by any state or province of Canada (issued to a person who does not drive)
6. Official passport of any nation.

All of the above six forms of identification must be current and show **age, signature, and photograph of the bearer** (RCW 66.16.040).

38. *How can the club and its employees be protected against a sale to a person under 21 years of age?*

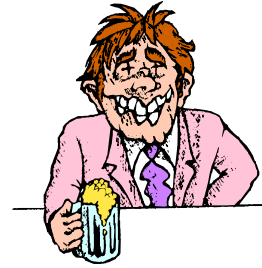
A: After checking one of the six types of identification cited above from a youthful appearing person, the wait person/bartender may choose to have a **Licensee's Certification Card** completed on the youthful appearing person. This card, when properly completed, can protect the club from an administrative violation notice and can protect the wait person or bartender from a criminal charge (RCW 66.20.210).

39. *Where do we get licensee certification cards?*

A: Licensee certification cards, also known as “LC cards or “white cards” may be obtained at any state liquor store or agency at no charge.

40. *Is there a law against selling alcoholic beverages to an apparently intoxicated person?*

A: Yes (RCW 66.44.200, WAC 314.16.150). If you sell liquor to a person who is apparently under the influence of liquor, your server’s permit may be suspended, or a monetary fine imposed in lieu of a suspension. You might also receive a criminal citation. In addition, the club can be issued an administrative violation notice and have their liquor license suspended.



Sometimes people with disabilities may exhibit behavior that is commonly associated with intoxication. Get to know your customers to ensure any refusal of service is based on their state of sobriety, not a disability.

41. *Can an intoxicated person remain in the club?*

A: Yes, provided the person is not disorderly, boisterous or using profane language and, most importantly, the person is not allowed to consume alcoholic beverages (WAC 314-16-120).

42. *Is “Stacking” of drinks permissible? (or . . . How many drinks can be sold to one patron at one time?)*

A: Nothing in the liquor laws or regulations speaks directly to the number of drinks a bartender may set in front of a customer. However, stacking of drinks may lead to overservice which could place the liquor license in jeopardy. Also, it is difficult to take away drinks already paid for or to cut off an intoxicated patron from drinks previously served and paid for.

43. *What are the legal hours for service and/or consumption of liquor?*

A: 6 o’ clock a.m. until 2 o’ clock a.m. seven days a week (WAC 314-16-050).

44. *Is suggestive, lewd or obscene conduct permitted in clubs, or any liquor licensed establishment?*

A: The regulations specifically spell out what conduct is considered suggestive, lewd and obscene. If you have trouble interpreting the regulations, contact your local liquor control agent for clarification. (WAC 314-16-125)

If your club wants to have a special event - such as a male dance review or lingerie show for club members, contact your local liquor control agent to obtain Board approval **PRIOR** to the event.

45. Who has the right to inspect our club?

A: All federal, state, county and municipal peace officers, liquor enforcement officers (i.e. Liquor and Tobacco Control Agents) of the Liquor Control Board, members of the Washington State Patrol and local health inspectors have the right to inspect any liquor licensed establishment (RCW 66.44.010 {1}, 43.43.030, WAC 248-84-085)

RAFFLE PERMITS

46. Can a club hold a raffle where alcohol is one of the prizes as a fund-raiser?

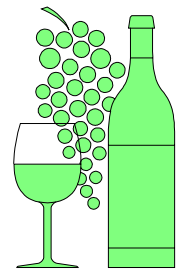
A: Yes. The club must obtain a “beverage alcohol raffle permit” from the Board. Call the Board’s Customer Service Desk at 360-664-0012. (WAC 314-38-040)

47. What does a “raffle permit” cost?

A: If the club is only going to have one raffle during a calendar year, the fee is ten dollars. However, if the club anticipates holding more than two raffles during a calendar year a twenty-five dollar multiple raffle permit would be appropriate.

48. Can the alcohol used as a prize in a raffle come from the club’s liquor stock?

A: No. Alcohol used as a prize in a raffle may be purchased at retail or donated. It may not come from the club’s liquor stock.



RECORDS AND RECORD KEEPING

Every retail licensee, including clubs, must maintain business records for a period of two years and those records shall be available to Board representatives for inspection and copying (WAC 314-16-160, 314-40-050).

49. Who owns the club?

A: All property of any club must belong to the members of the club (WAC 314-40-060).

50. Are there any special record keeping requirements for clubs?

A: Every club shall maintain on the premises a complete roster giving names and addresses of all its members. In addition, every club shall file with the Board a complete list of its officers, their names, addresses, and occupations and shall report this information whenever any change is made (WAC 314-40-070).

51. What should we do if a change is made in our constitution, bylaws or house rules?

A: A copy of the change must be submitted to the Board through your local liquor control agent for approval by the Board. Also, bylaws and house rules must be on file at the club and available for inspection.

52. Do we have to have manager?

A: Yes. The organization or club rooms and quarters must be under the supervision of a manager and house committee. Manager changes do not need to be reported to the Board. (WAC 314-40-030 {2I})

TRAINING FOR CLUB MANAGERS AND EMPLOYEES

53. What sort of permit do our employees need to sell or serve alcohol?

A: All bar managers, bartenders and liquor servers must hold an alcohol servers permit. These are available from private “providers” whose programs have been approved by Board staff and whose trainers have been registered with the Board.

It is important to remember, that ANYONE who sells or serves alcohol is required to have a permit within 60 days of employment - even if they are only a volunteer.



A list of authorized providers follows.

In addition, your local liquor control agent is available to meet with you and review the liquor laws, specifically as they apply to clubs, at your convenience on your club premises. Contact your local liquor control board office to make an appointment with your local liquor control agent.

MANDATORY ALCOHOL SERVER TRAINING
Washington State Liquor Control Board Certified Providers