

RESOLUTION No. 31308

A RESOLUTION requesting that the Washington State Liquor Control Board amend State Administrative Rule WAC 314-11-070 and create a new section to allow local governments to petition the Board to establish extended hours service areas within local jurisdictions.

~~Handwritten scribble~~

7-19-11 Adopt as amended
@in TBurg
S-O TB, RC, SC, SG, MO

TBurg
Approve S-O

Introduced: July 18, 2011	By: BOATMAN Burgess
Referred:	To: Regional Development and Sustainability Public Safety + Education
Referred:	To:
Reported:	
Passed: 7-25-11	Signed: July 29, 2011
Filed: July 29, 2011	Published: TITLE

7-25-11 Adopted 8-0
excused: RC

Law Department

RESOLUTION

31308

1 A RESOLUTION requesting that the Washington State Liquor Control Board amend State
2 Administrative Rule WAC 314-11-070 and create a new section to allow local
3 governments to petition the Board to establish extended hours service areas within local
4 jurisdictions.

5 WHEREAS, a well-planned and managed nightlife can have a profound positive impact on a
6 local economy, generating direct tax revenues, and growing public funds through
7 increased property value, revitalized business districts, and increased tourism; and

8 WHEREAS, Washington's post-Prohibition approach to liquor service, with its state-wide
9 uniform 2:00 a.m. closing time, is increasingly at odds with urban economies, lifestyles
10 and general values associated with drinking and entertainment; and

11 WHEREAS, at least 15 states across the country delegate completely or partially authority for
12 setting service hours to local jurisdictions or allow local jurisdictions to extend hours of
13 service subject to state approval; and

14 WHEREAS, allowing local jurisdictions to modify closing times can lead to better allocation of
15 public resources, provide a more uniform flow of patrons from venues, spread nightlife-
16 related demand for taxi service, and reduce the concentration of crowds; and

17 WHEREAS, modified closing times can improve quality of life in local jurisdictions by
18 mitigating public safety and nuisance issues associated with the uniform 2 a.m.
19 "pushout"; and

20 WHEREAS, local jurisdictions can better maximize benefits and minimize risks of flexible
21 service hours by reviewing the successes and failures of other jurisdictions, and
22 identifying and tailoring best practices for use in the local jurisdiction; and

23 WHEREAS, this effort is a critical component of the broader Seattle Nightlife Initiative, which
24 was launched in July, 2010 as a full suite of eight actions that together provide a
25 comprehensive, balanced approach to managing the city's nighttime economy; and

26 WHEREAS, this effort can only be realized with the approval of the Washington State Liquor
27 Control Board;

28 WHEREAS, the Executive will work with the City Council and the Liquor Control Board to
develop rules necessary to implement an extended hours policy,

NOW THEREFORE,



1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
2 **MAYOR CONCURRING, THAT:**

3
4 Section 1. The City of Seattle requests that the Washington State Liquor Control Board
5 modify existing WAC 314-11-070, which strictly prohibits service of any alcohol between 2 a.m.
6 and 6 a.m., and establish new rules allowing local authorities to petition to establish extended
7 hours service areas within their jurisdictions.

8 Section 2. The City of Seattle will work collaboratively with the Washington State Liquor
9 Control Board, other local jurisdictions, and other police and law enforcement authorities to: 1)
10 research the experience of other jurisdictions that have authorized extended service hours, 2)
11 review the proposed changes to WAC 314-11-170, and 3) identify policing and regulatory
12 strategies that would lead to safe and successful implementation of extended hour service areas.



1 Adopted by the City Council the 25th day of July, 2011, and
2 signed by me in open session in authentication of its adoption this 25th day
3 of July, 2011.

4 

5 President pro tem of the City Council

6
7 THE MAYOR CONCURRING:

8 

9
10 Michael McGinn, Mayor

11
12
13 Filed by me this 29th day of July, 2011.

14 

15
16 Monica Martinez Simmons, City Clerk

17
18 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Mayor's Office	Carl Marquardt 206-684-0962	

Legislation Title: A RESOLUTION requesting that the Washington State Liquor Control Board amend State Administrative Rule WAC 314-11-070 and create a new section to allow local governments to petition the Board to establish extended hours service areas within local jurisdictions.

Summary of the Legislation:

This resolution supports a petition to the Washington State Liquor Control Board to amend existing rules to allow for creation of extended hours service areas within local jurisdictions. This effort is being proposed as part of Seattle's comprehensive Nightlife Initiative, which aims to increase public safety and provide businesses with greater flexibility to adapt to the market demands of residents and visitors.

Council Central Staff (Ketil Freeman) Note:

On July 19, 2011 a combined Public Safety and Education and Regional Development and Sustainability Committee amended Resolution 31308 to:

- 1) Change the title to clarify that the Resolution itself is a request to the WSLCB to amend the WAC;
- 2) Make minor stylistic changes to the recitals and modify the third and fourth recital to change some emphasis and wording;
- 3) Add a new section that establishes that the City will work collaboratively with the WSLCB, other local governments and other local police and law enforcement authorities as a potential rule change is established to determine best practices for safely and successfully implementing extended service hour areas.

Background:

Seattle's diverse lifestyle and economy, as well as conventioners and visitors accustomed to more modern liquor laws, create demand for nightlife that extends beyond existing entertainment hours. This is evident in two recent polls, in which more than 75% of over 4,000 participants supported extended hours in Seattle. Despite market demand for later hours of entertainment, and apparent cultural acceptance of the concept, Seattle venues are not currently allowed to accommodate socializing and entertainment after 2 a.m.

Washington's uniform 2 a.m. closing time also places considerable demands on Seattle's police



and other public resources to manage and respond to large crowds and occasional aggressive behavior that results when thousands of individuals leave bars at the same time.

Seattle is currently at a competitive disadvantage with other jurisdictions that allow extended service hours. Extended service hours would bring economic benefits to Seattle, including increased numbers of visitors, a more vibrant entertainment industry, and broader recognition as a city friendly to young professionals.

Across the country, at least 15 states allow local jurisdictions substantial authority to determine or extend hours of service based on market demand and regulatory capacity, and at least 18 jurisdictions have established liquor service hours later than 2 a.m. As a progressive and adaptable city, Seattle is well suited to join these cities by adopting a more flexible urban policy that accommodates diverse lifestyles and entertainment choices.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.



RESOLUTION

A RESOLUTION relating to a request to the Washington State Liquor Control Board to amend State Administrative Rule WAC 314-11-070 and create a new section to allow local governments to petition the Board to establish extended hours service areas within local jurisdictions.

WHEREAS, a well-planned and managed nightlife can have a profound positive impact on a local economy, generating direct tax revenues, and growing public funds through increased property value, revitalized business districts, and increased tourism; and

WHEREAS, Washington's post-Prohibition approach to liquor service, with its state-wide uniform 2:00 a.m. closing time, is increasingly in contrast to urban economies, lifestyles and general values associated with drinking and entertainment; and

WHEREAS, at least 15 states across the country allow local jurisdictions flexibility to extend hours of service based on market demand and regulatory capacity; and

WHEREAS, allowing local jurisdictions to modify closing times can lead to better allocation of public resources, provide a more uniform flow of patrons from venues, allow increased mobility by taxi and public transit services, and reduce the concentration of crowds; and

WHEREAS, modified closing times can improve quality of life in local jurisdictions by mitigating public safety and nuisance issues associated with the uniform 2 a.m. "pushout"; and

WHEREAS, local jurisdictions can better maximize benefits and minimize risks of flexible service hours by reviewing the successes and failures of other jurisdictions, and identifying and tailoring best practices for use in the local jurisdiction; and

WHEREAS, this effort is a critical component of the broader Seattle Nightlife Initiative, which was launched July 13th, 2010 as a full suite of eight actions that together provide a comprehensive, balanced approach to managing the city's nighttime economy; and

WHEREAS, this effort can only be realized with the approval of the Washington State Liquor Control Board;

WHEREAS, the Executive will work with the City Council and the Liquor Control Board to develop rules necessary to implement an extended hours policy,

NOW THEREFORE,

THIS VERSION IS NOT ADOPTED



1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
2 **MAYOR CONCURRING, THAT:**

3
4 Section 1. The City of Seattle supports a request to the Washington State Liquor Control
5 Board to modify existing WAC 314-11-070, which strictly prohibits service of any alcohol
6 between 2 a.m. and 6 a.m., and establish new rules allowing local authorities to petition to
7 establish extended hours service areas within their jurisdictions.

8
9 Adopted by the City Council the ____ day of _____, 2011, and
10 signed by me in open session in authentication of its adoption this ____ day
11 of _____, 2011.

12 _____
13 President _____ of the City Council

14
15 THE MAYOR CONCURRING:

16
17 _____
18 Michael McGinn, Mayor

19
20 Filed by me this ____ day of _____, 2011.

21
22 _____
23 Monica Martinez Simmons, City Clerk

24
25 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Mayor's Office	Carl Marquardt 206-684-0962	

Legislation Title: Resolution Regarding Extended Alcohol Service Hours

Summary of the Legislation:

This resolution supports a petition to the Washington State Liquor Control Board to amend existing rules to allow for creation of extended hours service areas within local jurisdictions. This effort is being proposed as part of Seattle's comprehensive Nightlife Initiative, which aims to increase public safety and provide businesses with greater flexibility to adapt to the market demands of residents and visitors.

Background:

Seattle's diverse lifestyle and economy, as well as conventioners and visitors accustomed to more modern liquor laws, create demand for nightlife that extends beyond existing entertainment hours. This is evident in two recent polls, in which more than 75% of over 4,000 participants supported extended hours in Seattle. Despite market demand for later hours of entertainment, and apparent cultural acceptance of the concept, Seattle venues are not currently allowed to accommodate socializing and entertainment after 2 a.m.

Washington's uniform 2 a.m. closing time also places considerable demands on Seattle's police and other public resources to manage and respond to large crowds and occasional aggressive behavior that results when thousands of individuals leave bars at the same time.

Seattle is currently at a competitive disadvantage with other jurisdictions that allow extended service hours. Extended service hours would bring economic benefits to Seattle, including increased numbers of visitors, a more vibrant entertainment industry, and broader recognition as a city friendly to young professionals.

Across the country, at least 15 states allow local jurisdictions substantial authority to determine or extend hours of service based on market demand and regulatory capacity, and at least 18 jurisdictions have established liquor service hours later than 2 a.m. As a progressive and adaptable city, Seattle is well suited to join these cities by adopting a more flexible urban policy that accommodates diverse lifestyles and entertainment choices.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

THIS VERSION IS NOT ADOPTED





City of Seattle
Office of the Mayor

July 12, 2011

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am transmitting the attached proposed Resolution supporting a petition to the Washington State Liquor Control Board to allow for the creation of extended hours service areas within local jurisdictions. This effort is being proposed as part of Seattle's comprehensive Nightlife Initiative, which aims to increase public safety and provide businesses with greater flexibility to adapt to the market demands of residents and visitors.

If these proposed rule changes are adopted by the Liquor Control Board, Seattle will be positioned as a prime candidate to propose and successfully implement an extended hours service area. To date, we have implemented seven of the eight components of the Seattle Nightlife Initiative. These proactive and strategic steps allow us to better manage areas of nighttime activity, and have made a measurable impact to increasing nightlife public safety.

Seattle's diverse lifestyle and economy, as well as conventioners and visitors accustomed to more modern liquor laws, create demand for nightlife that extends beyond existing entertainment hours. This is evident in two recent polls, in which more than 75% of over 4,000 participants supported extended hours in Seattle. Despite market demand for later hours of entertainment, and apparent cultural acceptance of the concept, Seattle venues are not currently allowed to accommodate socializing and entertainment after 2 a.m.

Across the country, at least 15 states allow local jurisdictions substantial authority to determine or extend hours of service based on market demand and regulatory capacity, and at least 18 jurisdictions have established liquor service hours later than 2 a.m. As a progressive and adaptable city, Seattle is well-suited to join these cities by adopting a more flexible urban policy that accommodates diverse lifestyles and entertainment choices.

Thank you for your consideration of this legislation.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council
Seattle City Attorney Pete Holmes

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcgin@seattle.gov



STATE OF WASHINGTON – KING COUNTY

--SS.

274788
CITY OF SEATTLE, CLERKS OFFICE

No. 31308,309,310,311

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY RESOLUTION

was published on

08/05/11

The amount of the fee charged for the foregoing publication is the sum of \$ 54.60, which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
08/05/11 

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle Title Only Resolution

The full text of the following legislation, passed by the City Council on July 25, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

RESOLUTION NO. 31308

A RESOLUTION requesting that the Washington State Liquor Control Board amend State Administrative Rule WAC 314-

11-070 and create a new section to allow local governments to petition the Board to establish extended hours service areas within local jurisdictions.

RESOLUTION NO. 31309

A RESOLUTION of intention to establish a Tourism Business Improvement Area and fix a date and place for a hearing thereon.

RESOLUTION NO. 31310

A RESOLUTION to initiate a Tourism Business Improvement Area.

RESOLUTION NO. 31311

A RESOLUTION confirming that Seattle City Light may extend residential rate assistance electric rates under Seattle Municipal Code 21.49.040 to its low-income customers who reside in subsidized units of the Seattle Housing Authority, the Housing Authority of the County of King or the federal government that do not receive allowances or assistance with their electric utility bills.

Date of publication in the Seattle Daily Journal of Commerce, August 5, 2011.

8/5(274788)