WAC 314-02-015 Spirits, beer, and wine restaurant license. (1) Per RCW 66.24.400, this license allows a restaurant to:

(a) Serve spirits by the individual glass or soju by the bottle for on-premises consumption.

(i) Soju served by the bottle may only be served in restaurants holding a soju endorsement and must be served under the provisions outlined in RCW 66.24.400(5);

(ii) Soju endorsement holders must ensure servers providing soju to patrons are trained every five years in the soju curriculum developed by the board.

(b) Serve beer by the bottle or can or by tap for on-premises consumption;

(c) Serve wine and sake for on-premises consumption;

(d) Allow patrons to remove recorked or recapped wine, sake, or soju from the licensed premises;

(e) Sell wine by the bottle for off-premises consumption with the appropriate endorsement; and

(f) Sell kegs of malt liquor with the appropriate endorsement. This endorsement also allows the sale of beer or cider as defined in RCW 66.24.210(6) in a sanitary container brought to the premises by the purchaser or furnished by the licensee and filled at the tap by the retailer at the time of sale.

(2) To obtain and maintain a spirits, beer, and wine restaurant license, the restaurant must be open to the public at least five hours a day during the hours of 8:00 a.m. and 11:00 p.m., three days a week.

(3)(a) Except as provided in (b) of this subsection, all applicants for a spirits, beer, and wine license must establish, to the satisfaction of the board, that the premises will operate as a bona fide restaurant. The term "bona fide restaurant" means a business where the board can clearly determine that the primary purpose of the business is the service of complete meals. "Complete meals" is defined in WAC 314-02-010.

(b) When qualifying for and maintaining a spirits, beer, and wine license, a domestic brewery or microbrewery may contract, lease, or sublease the domestic brewery or microbrewery, with one or more individuals or entities to satisfy the food service requirements for spirits, beer, and wine restaurants in WAC 314-02-035.

(i) For purposes of this section, contracting includes the use of a mobile food unit, as defined in RCW 43.20.025, by a person or entity who sells food and nonalcoholic beverages to the public and does not hold a retail liquor license.

(ii) For purposes of this section, leasing and subleasing includes allowing, under contract, the use of a domestic brewery or microbrewery's licensed premises for the preparation and service of food by a nonliquor licensee.

(iii) Nothing in this section shall prohibit a domestic brewery or microbrewery from owning and operating a mobile food unit to meet spirits, beer, and wine restaurant food service requirements.

In such cases:

(c) Contracted food service staff not employed by the licensee are not permitted to serve the alcohol of the licensee.

(d) Any domestic brewery or microbrewery leasing or subleasing space on the licensed premises shall maintain storage space for non-tax-paid alcohol that is substantially separated from areas of the premises that are regularly accessed by the owner or staff of a mobile food unit or the owner or staff of an independently operated food

service provider. For the purposes of this section, substantially separated may include:

(i) Physically securing nontax-paid alcohol in a manner that is only accessible to employees of the licensed domestic brewery or microbrewery; or

(ii) Storing alcohol in areas of the premises that are not regularly accessed by contracted food service provider staff. Any access to spaces by contracted food service providers who are providing contracted food services must be incidental and limited to that which is necessary for the purposes of accessing bathrooms, breakrooms, exits, or other permitted shared spaces.

(e) A domestic brewery or microbrewery contracting or leasing space on its licensed premises must include in the contract or lease:

(i) A diagram of the kitchen plan detailing the space controlled by the contractor providing food service for the domestic brewery or microbrewery;

(ii) A notification that the liquor licensed premises, including all space contracted for food service, is subject to inspection by the LCB;

(iii) Terms to ensure compliance with the establishment's required hours and days of operation, full meal service requirements, minimum food service requirements, and the contractor's mandate in RCW 66.24.240 to hold necessary kitchen and food service permits from the applicable local jurisdiction;

(iv) Any changes to the domestic brewery or microbrewery's contract or lease, vendor, or kitchen plan must be submitted to the board.

Notes: (1) Regardless of whether a domestic brewery or microbrewery uses its own facilities and staff to satisfy food service requirements for spirits, beer, and wine restaurants in WAC 314-02-035 or they use one or more contractors to do so, the domestic brewery or microbrewery must ensure that all applicable food service requirements are satisfied at all times that they are open for business. Extenuating circumstances, such as the unexpected absence of one or more contractors or a contractor's equipment failure, will not absolve a spirits, beer, and wine licensee of these requirements.
(2) A spirits, beer, and wine restaurant licensee cannot choose to stop operating under their restaurant license and only serve beer (without food options that satisfy requirements in WAC 314-02-035) under a brewery license during any portion of their spirits, beer, and wine restaurant operating hours.

[Statutory Authority: RCW 66.08.030, 62.24.246, and 2025 c 141. WSR 26-10-096, s 314-02-015, filed 5/6/26, effective 6/6/26. Statutory Authority: RCW 66.08.030. WSR 20-05-008, § 314-02-015, filed 2/5/20, effective 3/7/20; WSR 17-12-030, § 314-02-015, filed 5/31/17, effective 7/1/17. Statutory Authority: RCW 66.08.030, 66.24.371, and 66.24.590. WSR 15-01-001, § 314-02-015, filed 12/3/14, effective 1/3/15. Statutory Authority: RCW 66.08.030. WSR 13-06-024, § 314-02-015, filed 2/27/13, effective 3/30/13. Statutory Authority: RCW 66.08.030 and chapter 66.24 RCW. WSR 11-23-045, § 314-02-015, filed 11/9/11, effective 12/10/11. Statutory Authority: RCW 66.08.030 and 66.24.363. WSR 11-01-133, § 314-02-015, filed 12/21/10, effective 1/21/11. Statutory Authority: RCW 66.08.030. WSR 09-02-012, § 314-02-015, filed 12/29/08, effective 1/29/09. Statutory Authority: RCW 66.04.010, 66.08.030, 66.24.410, 66.44.310, and 66.44.420. WSR 05-22-022, § 314-02-015, filed 10/24/05, effective 11/24/05. Statutory Authority: RCW 66.08.030, 66.24.010, 66.24.120. WSR 00-07-091, § 314-02-015, filed 3/15/00, effective 4/15/00.]