

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension of the)
Licenses to Conduct Gambling Activities of:)
)
)
Buzz Inn Steakhouse,)
280 Grant Rd)
East Wenatchee, Washington)
)
Licensee.)
_____)

No. CR 2008-02003

**NOTICE OF ADMINISTRATIVE
CHARGES AND OPPORTUNITY
FOR AN ADJUDICATIVE
PROCEEDING**

I.

The Washington State Gambling Commission issued Buzz Inn Steakhouse, organization number 00-11170, the following licenses:

Number 67-00183, Authorizing Class "10" House-Banked Card Room Activity.
Number 05-05806, Authorizing Class "G" Punchboard/Pull-Tab Activity.

The licenses expire on December 31, 2009, and were issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

On December 14, 2008, the licensee allowed a minor to gamble in its card room, violating WAC 230-06-010. The licensee was previously issued a NOVAS¹ on May 31, 2008, for allowing a minor to gamble. Grounds exist to suspend the licenses under RCW 9.46.075(1) and WAC 230-03-085(1) and (3).

RCW 9.46.075(1)

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

- (1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

¹ The Notice of Violation and Settlement (NOVAS) identifies the violation and gives the recipient the opportunity to pay a fine to settle the matter.

WAC 230-03-085(1) and (3), Suspending, or revoking a license or permit

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

- (1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.
- (3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

WAC 230-06-010, Age restriction for players

No person must allow anyone under the age of eighteen to participate in gambling activities except:

- (1) To play in licensed bingo games when accompanied by an adult member of his or her immediate family or a guardian, who is at least eighteen years old:
 - (a) "Immediate family" means only the spouse, parents, or grandparents of an individual; and
 - (b) "Guardian" means only a court-appointed, legal guardian of an individual; or
- (2) To play bingo at agricultural fairs or school carnivals; or
- (3) To play amusement games; or
- (4) To sell raffle tickets for a charitable or nonprofit organization that:
 - (a) Has development of youth as a primary purpose; and
 - (b) Has at least three members or advisors who are at least eighteen years old and who supervise the operation of the raffle; and
 - (c) Has an adult member or advisor designated as the manager for the raffle.

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III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

The licensee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed REQUEST FOR HEARING must be COMPLETED AND RETURNED to the Gambling Commission *within 23 days* from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return this document will result in the entry of a default order SUSPENDING your licenses for 15 days.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding for Buzz Inn Steakhouse, knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission, and in that capacity has executed said Notice.

Rick Day

RICK DAY, DIRECTOR

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

SUBSCRIBED AND SWORN TO before me
this 7th day of January, 2009.

Michelle M. Pardee

NOTARY PUBLIC in and for the State of
Washington residing at Lacey
My commission expires on June 15, 2009

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 8th day of February, 2009

Communications and Legal Department
Washington State Gambling Commission

Maureen Perrelli

