

Chapter 472

1999 EDITION

Sale of Distilled Liquor by Individual Drink

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Note: The provisions of ORS chapter 472 are repealed January 1, 2001. See sections 12 and 41, chapter 351, Oregon Laws 1999. Section 80, chapter 351, Oregon Laws 1999, provides:

Sec. 80. (1) Except for those licenses eliminated under section 11 of this 1999 Act, this 1999 Act does not affect the validity, or any of the privileges or duties, of a license issued under the provisions of ORS chapter 471 or 472 (1997 Edition) before the effective date of this 1999 Act [January 1, 2001]. ORS 471.253 (2) [471.253 renumbered 471.200 in 1999], as created by section 26 of this 1999 Act, applies to all brewery-public house licenses, whether issued before, on or after the effective date of this 1999 Act.

(2) Any person who was licensed before the effective date of this 1999 Act under a license consolidated under the provisions of sections 2 to 8 of this 1999 Act [471.175 to 471.190], and who applies after the effective date of this 1999 Act for a license under sections 2 to 7 of this 1999 Act that has substantially the same privileges as the license that was issued before the effective date of this 1999 Act, shall be considered by the Oregon Liquor Control Commission to be applying for a license renewal except that the privileges of the new license shall be as provided by sections 2 to 7 of this 1999 Act. The application for renewal must be made within the time provided by ORS 471.290 (1997 Edition). [1999 c.351 s.80]

GENERAL PROVISIONS

472.005 Definitions for chapter. The definitions provided by ORS 471.001 apply to this chapter. [1995 c.301 s.4]

Note: 472.005 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.010 [1953 c.176 s.3; 1974 c.4 s.7a; 1975 c.207 s.2; 1979 c.236 s.9; 1983 c.215 s.3; 1989 c.120 s.3; 1993 c.128 s.1; repealed by 1995 c.301 s.33]

472.020 Short title. This chapter may be cited as the “Oregon Distilled Liquor Control Act.” [1953 c.176 s.1]

Note: 472.020 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.030 Purpose. This chapter shall be deemed an exercise of the police powers of the state for the protection of the safety, welfare, health, peace and morals of the people of the state; to provide for the sale of alcoholic liquor as provided for by section 39, Article I, Constitution of Oregon, adopted by the electors at the general election, November 4, 1952; to eliminate the evils of unlicensed disposing of distilled alcoholic liquor; and to prevent abuses associated with saloons or resorts for the consumption of distilled alcoholic liquors. [1953 c.176 s.2]

Note: 472.030 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.040 Repeal of inconsistent provisions of charters and ordinances. Inasmuch as this statute has been hereinbefore declared to be a subject of general law, and designed to operate uniformly throughout the state, it hereby is declared that the provisions herein contained shall be paramount and superior to and shall fully replace and supersede any and all municipal charter enactments or local ordinances inconsistent herewith, and such charters and ordinances hereby are repealed. [1953 c.176 s.18]

Note: 472.040 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.050 Chapter as dependent upon section 39, Article I, Oregon Constitution. This chapter is dependent and is conditioned upon the terms and provisions of section 39, Article I, Constitution of Oregon and should said section be repealed by the electors of the State of Oregon in the manner provided for amendments to the Constitution of Oregon, this chapter shall, from and after the first day of January next succeeding such repeal, be of no further force or effect, nor shall any of its provisions have any validity whatsoever from and after such date. [1953 c.176 s.30]

Note: 472.050 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.060 Powers and duties of commission. (1) For all purposes in connection with this chapter, the Oregon Liquor Control Commission shall have and exercise all of the powers and be subject to the duties conferred upon it by the Liquor Control Act and Acts amendatory thereof and supplemental thereto, and constitutional provisions, and the commission is hereby authorized and directed to administer and perform the duties provided by this chapter within and in accordance with the powers and duties prescribed in the Liquor Control Act and Acts amendatory thereof and supplemental thereto, and constitutional provisions, so far as is applicable.

(2) In addition to the functions, duties and powers vested with and possessed by the commission, the commission is hereby vested with the following functions, duties and powers:

(a) To grant, refuse, suspend or cancel licenses for the sale upon licensed premises, by licensees, of distilled liquor for consumption on the premises.

(b) To collect taxes and duties imposed by Acts relating to the sale of distilled liquors, and to issue, and to provide for the cancellation of, revenue stamps and other devices evidencing payment of such taxes or duties.

(c) To investigate and aid in the prosecution of each violation of this chapter and other Acts relating to alcoholic liquors, to make seizure of distilled liquors, manufactured, sold, kept, imported or transported in contravention of this chapter, and to apply for the confiscation thereof, whenever required by this chapter, and to cooperate in the prosecution of offenders before any court of competent jurisdiction.

(d) To adopt such regulations as are necessary and feasible for carrying out the provisions of this chapter and to amend or repeal such regulations, and to exercise all such other powers, duties and functions covered by this chapter, and all powers incidental, convenient or necessary to enable it to administer or carry out any of the provisions of this chapter. [1953 c.176 ss.4,5; 1997 c.249 s.175]

Note: 472.060 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

DISPENSER LICENSES

472.100 Class of dispenser licenses; privileges. (1) A dispenser license may be issued to private clubs, fraternal organizations, veterans' organizations, railroad corporations operating interstate trains and commercial establishments where food is cooked and served, and shall be in three classes, designated as Class A, Class B and Class C.

(2) Class A dispenser license. A Class A dispenser license may be issued to railroad corporations operating interstate trains and commercial establishments where food is cooked and served. Such license shall permit the licensee to purchase distilled liquor from either an agent of the Oregon Liquor Control Commission appointed pursuant to ORS 471.750 or a dispenser licensee and to store the same on the licensed premises and to sell the same by the individual glass or drink for consumption on the licensed premises. The license shall allow the licensee to sell malt beverages and wine for consumption on the premises and shall permit the patron to remove from the premises a wine container the contents of which have been only partially consumed. The malt beverages and wine shall be purchased only from licensees duly authorized to sell at wholesale under a license issued pursuant to the provisions of ORS chapter 471. In the absence of municipal ordinance or local regulation to the contrary, Class A dispenser licensees shall be permitted to allow dancing and to have and permit other proper forms of entertainment upon the licensed premises.

(3) Class B dispenser license. A Class B dispenser license may be issued to private clubs, as defined in subsection (7) of this section. Such license shall permit the licensee to purchase distilled liquor from either an agent of the commission appointed pursuant to ORS 471.750 or a dispenser licensee and to store the same on the licensed premises and to sell the same by the individual glass or drink for consumption on the licensed premises. Such license shall allow the licensee to sell malt beverages and wine for consumption on the premises and shall permit the patron to remove from the premises a wine container the contents of which have been only partially consumed. Such malt beverages and wine shall be purchased only from licensees duly authorized to sell at wholesale under a license issued pursuant to the provisions of ORS chapter 471. In the absence of municipal ordinance or local regulation to the contrary, Class B dispenser licensees shall be permitted to allow dancing and to have and permit other proper forms of entertainment upon the licensed premises.

(4) Class C dispenser license. A Class C dispenser license may be issued to restaurants. A Class C licensee shall have the same privileges as a Class A licensee except that the Class C licensee must meet the following requirements:

- (a) Liquor service is from an area not accessible to patrons of the restaurant;
- (b) Patrons are served alcoholic beverages only at tables as an incident to food service;
- (c) The restaurant does not have a lounge or public bar and the applicant and facilities are otherwise qualified to hold a Class A dispenser license; and
- (d) The restaurant has adequate kitchen and dining room equipment and caters to and serves bona fide meals to the general public.

(5) A Class A, B or C licensee shall be entitled to purchase any distilled liquor from an agent of the commission appointed pursuant to ORS 471.750 at a discount of not more than five percent off the regular listed price fixed by the commission, together with all taxes, in a manner prescribed by commission rule. For purposes of compensation by the commission, the appointed agent shall be credited with such sales at full retail cost.

(6) Before allowing a patron to remove from the licensed premises a wine container the contents of which have been only partially consumed, the holder of a dispenser license must:

- (a) Inform the patron of the prohibitions of ORS 811.170 relating to open containers of alcoholic beverages in motor vehicles; and
- (b) Inform the patron of the provisions of ORS 811.170 (1)(c)(B) allowing the transport of open containers of alcoholic beverages in the trunk of a motor vehicle or in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk.

(7) For the purposes of this section, "private club" includes fraternal organizations and veterans' organizations and means an association of persons, whether incorporated or unincorporated for the promotion of some common object, not including associations organized for any commercial or business purpose the object of which is money profit, owning, hiring or leasing a building, or space in a building, of such extent and character as in the judgment of the commission may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate space and equipment, implements and facilities, and

employing a sufficient number of servants or employees for serving food and meals for its members and their guests; provided, that no member or any officer, agent or employee of the club is paid, or directly or indirectly receives in the form of salary or other compensation, any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members, directors or other governing body of the club, and which, in the judgment of the commission, shall be reasonable and proper compensation for the services of such member, officer, agent or employee. [Formerly 472.110]

Note: 472.100 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.105 [1995 c.301 s.49; repealed by 1997 c.430 s.1]

472.110 [1953 c.176 s.6; 1955 c.434 s.1; 1957 c.223 s.3; 1961 c.348 s.1; 1965 c.280 s.4; 1965 c.284 s.3; 1973 c.395 s.6; 1979 c.881 s.1; 1981 c.340 s.1; 1981 c.585 s.1; 1983 c.625 s.1; 1993 c.80 s.1; 1993 c.144 s.3; 1993 c.169 s.1; 1995 c.301 s.21a; renumbered 472.100 in 1995]

472.111 Maximum number of Class C licenses that may be issued. (1) The Oregon Liquor Control Commission is authorized to license premises under Class C dispenser licenses on any day during the calendar year up to the maximum number specified by subsection (2) of this section.

(2) In calendar years commencing on or after January 1, 1994, the maximum number of premises that are licensed by the commission under Class C dispenser licenses on any day during the calendar year may not exceed by more than 30 premises the maximum number of premises that were licensed under Class C dispenser licenses pursuant to this section on any day in the immediately preceding calendar year.

(3) For purposes of subsection (2) of this section, the maximum number of premises that were licensed under Class C dispenser licenses at any time in calendar year 1993 shall be considered to be 225. [1993 c.144 s.2; 1995 c.301 s.50]

Note: 472.111 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.112 [1977 c.579 s.2; repealed by 1995 c.301 s.52]

472.113 [1981 c.585 s.3; 1983 c.368 s.1; 1987 c.281 s.1; 1993 c.144 s.4; repealed by 1995 c.301 s.52]

472.114 Standards for issuance of Class A and C licenses. (1) It is the finding of the Legislative Assembly that ORS 471.030 (2) does not require the Oregon Liquor Control Commission consistently to grant licenses to applicants which have the potential to do a larger gross business than other applicants.

(2) It is the intention of the Legislative Assembly, that in issuing Class A and C licenses, the commission shall recognize the importance of issuing licenses to otherwise qualified applicants located in rural and unincorporated areas and in incorporated areas with populations of less than 25,000.

(3) It is the intent of the Legislative Assembly that the commission shall recognize the importance in licensing applicants described in subsection (2) of this section to also recognize those having seating capacities for 100 or fewer patrons. [1981 c.585 s.4; 1993 c.144 s.5; 1995 c.301 s.51]

Note: 472.114 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.115 [1965 c.284 s.6; 1973 c.395 s.7; 1979 c.187 s.3; 1979 c.881 s.2a; 1989 c.120 s.4; repealed by 1995 c.301 s.52]

472.116 Community events dispenser license. (1) A community events dispenser license may be issued to a municipal corporation, including a city or county, association or not for profit corporation that is engaged in the production or promotion of a convention, festival, fair, rodeo, civic or community event. A license issued under this section shall permit the licensee to purchase, from the Oregon Liquor Control Commission only, distilled liquor at regular listed retail prices, to store the liquor on the licensed premises and to sell the liquor by the individual drink for consumption on the licensed premises. The license also allows the licensee to sell malt beverages and wine for consumption on the premises if the beverages and wine are purchased from a licensee authorized to sell at wholesale

under a license issued pursuant to the provisions of ORS chapter 471.

(2) The license shall be granted for specific premises and all beverages must be consumed on the premises. Food must be served within the area of the licensed premises.

(3) The commission may excuse the licensee from compliance with such other license requirements as may be found not inconsistent with the purpose of this chapter.

(4) The license may be issued for a period fixed by the commission. The fee for a license issued under this section shall not exceed \$25 per day. [1979 c.187 s.2; 1995 c.301 s.21]

Note: 472.116 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.117 Special events dispenser license. (1) A special events dispenser license may be issued for a period of one year to a holder of a dispenser license issued under ORS 472.100. A license issued under this section shall permit the licensee to dispense distilled liquor and other alcoholic beverages, as permitted by the license under ORS 472.100, at a public auditorium, only in conjunction with events at the auditorium and only in such areas of the auditorium as may be designated in the license. The Oregon Liquor Control Commission may excuse the licensee from compliance with such other license requirements as may be found not inconsistent with the purposes of the Oregon Distilled Liquor Control Act.

(2) The fee for a license issued under this section shall be \$400 per year. A license may be renewed as provided by ORS 471.311.

(3) As used in this section, "public auditorium" means a structure that has a seating capacity of not less than 1,000 persons and is specially designed for live performances of the arts, including stage presentations, concerts, recitals, lectures and audiovisual features and activities. [1973 c.571 s.2; 1985 c.326 s.1; 1995 c.301 s.73]

Note: 472.117 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.119 Caterer dispenser license. (1) Upon application therefor, the Oregon Liquor Control Commission may issue a caterer dispenser license.

(2) A caterer dispenser license shall permit a caterer who contracts with clients to provide food services at places other than the licensed premises to sell and serve alcoholic beverages at off-premises functions at which the caterer is catering food. The caterer must have adequate facilities to prepare and cook regular meals as defined by Oregon Liquor Control Commission rules.

(3) Nothing in this section precludes a caterer licensee from holding or applying for a license allowing on-premises sales and service of alcoholic beverages. [1989 c.120 s.2; 1995 c.301 s.22]

Note: 472.119 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.120 [1953 c.176 s.7; 1977 c.518 s.4; repealed by 1995 c.301 s.74]

472.125 Hotel dispenser license. A hotel dispenser license may be issued by the Oregon Liquor Control Commission to a hotel. The hotel need not have a restaurant open to the general public, but must make food available to its guests. The hotel must have at least 200 guest rooms and have banquet and meeting facilities for at least 200 people. Video lottery game terminals may not be placed on premises licensed under a hotel dispenser license. Except as provided in this section, a hotel dispenser license has the same privileges, and is subject to the same restrictions, as a Class A dispenser license. [1997 c.284 s.2; 1999 c.59 s.143]

Note: 472.125 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.130 [1953 c.176 s.8; repealed by 1995 c.301 s.74]

472.140 [1953 c.176 s.11; repealed by 1957 c.220 s.5 (472.141 enacted in lieu of 472.140)]

472.141 [1957 c.220 s.6 (enacted in lieu of 472.140); 1965 c.284 s.4; 1971 c.470 s.5; 1973 c.311 s.4; 1977 c.332 s.2; 1977 c.360 s.4; repealed by 1995 c.301 s.74]

472.145 [1971 c.470 s.7; 1979 c.187 s.4; repealed by 1995 c.301 s.74]

472.147 [1975 c.207 s.6; repealed by 1995 c.301 s.74]

472.150 [1953 c.176 s.9; 1955 c.434 s.2; 1965 c.284 s.5; 1967 c.28 s.2; 1971 c.470 s.8; 1973 c.395 s.8; 1979 c.126 s.2; 1979 c.881 s.1a; 1989 c.120 s.5; repealed by 1995 c.301 s.74]

472.155 [1989 c.416 s.2; repealed by 1995 c.301 s.74]

472.160 [1953 c.176 s.10; 1979 c.744 s.35a; 1979 c.881 s.5; 1981 c.599 s.6; 1989 c.785 s.9; 1991 c.67 s.144; repealed by 1995 c.301 s.74]

472.170 [1953 c.176 s.13; 1977 c.215 s.2; repealed by 1995 c.301 s.74]

472.180 [1953 c.176 s.12; 1957 c.220 s.7; 1971 c.159 s.7; 1979 c.744 s.36; 1981 c.599 s.7; 1989 c.785 s.4; 1991 c.734 s.44; repealed by 1995 c.301 s.74]

472.185 [1957 c.220 s.8; repealed by 1971 c.734 s.21]

472.187 [1969 c.67 s.6; 1981 c.599 s.8; 1991 c.734 s.45; repealed by 1995 c.301 s.74]

472.189 [1971 c.734 s.70; repealed by 1995 c.301 s.74]

472.190 [1953 c.176 s.14; 1957 c.220 s.9; 1969 c.205 s.2; repealed by 1971 c.734 s.21]

472.193 [1969 c.67 s.7; 1973 c.311 s.5; repealed by 1995 c.301 s.74]

472.195 Special dispenser license. A special dispenser license may be issued to holders of dispenser licenses as defined in ORS 472.100. A special dispenser license shall entitle the holder to dispense as permitted by the license under ORS 472.100 for a period not to exceed five days at a designated place other than set forth in the license granted under ORS 472.100; provided, however, that the Oregon Liquor Control Commission may excuse the licensee from compliance with such license requirements as may be found not inconsistent with the purposes of this chapter. The fee for a special dispenser license shall be \$25 per license day, a license day for the purposes of this privilege being the consecutive hours of operation designated by commission regulation to apply to licenses as defined in ORS 472.100. [1955 c.701 s.2; 1957 c.223 s.4]

Note: 472.195 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.200 [1953 c.176 s.19; repealed by 1967 c.577 s.10]

472.205 Seasonal dispenser license. (1) A seasonal dispenser license which is valid for a season, as fixed by rule of the Oregon Liquor Control Commission, may be issued or renewed. The commission shall designate the term of the license without regard to the calendar year.

(2) The license shall be issued to commercial establishments where food is cooked and served and shall permit the licensee to purchase, from the commission only, distilled liquor at regular listed retail prices and to store the same on the licensed premises and to sell the same by the individual glass or drink for consumption on the licensed premises, including mixed drinks and cocktails compounded or mixed on the premises only, and shall allow the licensee to sell malt beverages and wine for consumption on the premises.

(3) Such malt beverages and wine shall be purchased only from licensees duly authorized to sell at wholesale under a license issued pursuant to the provisions of ORS chapter 471.

(4) In the absence of any municipal ordinance or local regulation to the contrary, seasonal dispenser licensees shall be permitted to allow dancing and other proper forms of entertainment upon the licensed premises.

(5) As used in this section, "season" means a period not exceeding nine months which is generally suitable for or associated with certain activities including but not limited to hunting, fishing, skiing or usually associated with

vacations or other specialized activities. [1965 c.284 s.2; 1979 c.126 s.1; 1985 c.415 s.1; 1995 c.301 s.22a]

Note: 472.205 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.210 [1983 c.215 s.2; repealed by 1995 c.301 s.22b (472.211 enacted in lieu of 472.210)]

472.211 Tour boat license. (1) A tour boat operator or owner is eligible for a dispenser license. Except as provided in subsection (3) of this section, a tour boat operator or owner must comply with all regulations for commercial establishments licensed under this chapter. The Oregon Liquor Control Commission may waive a regulation for a tour boat operator or owner that would otherwise apply to a commercial establishment.

(2) To be eligible as a tour boat under the provisions of this section, a boat must be used primarily for nonfishing purposes and be designed and licensed to carry at least 40 passengers.

(3) At all times when alcoholic beverages are served or consumed, the owner or operator of a tour boat must cook and serve on board at least three different types of food, exclusive of sandwiches. The owner or operator must also serve meals as required by the commission. The meals may be prepared and cooked off the licensed premises. [1995 c.301 s.22c (enacted in lieu of 472.210)]

Note: 472.211 is repealed January 1, 2001. See sections 12 and 81, chapter 351, Oregon Laws 1999.

472.215 [1981 c.610 s.4; 1983 c.315 s.1; repealed by 1995 c.301 s.74]

472.220 Sale of sealed containers of wine by holder of Class B license. Notwithstanding the provisions of ORS 472.100, the holder of a Class B dispenser license may sell sealed containers of wine to a person who organizes a private gathering on the licensee's premises if the wine was acquired as part of a larger purchase of wine by the licensee for the purposes of the gathering and only part of the larger purchase was consumed at the gathering. Wine sold under this section may be sold for an amount adequate to compensate the licensee for the amounts paid by the licensee for the wine. [1995 c.772 s.2]

Note: 472.220 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.310 [1953 c.176 s.15; 1959 c.399 s.2; 1971 c.159 s.8; 1971 c.680 s.1; 1977 c.458 s.2; repealed by 1995 c.301 s.74]

DISPOSAL OF FINES

472.320 Disposal of fines collected. All fines imposed by any judge, magistrate or court in the enforcement of this chapter shall be forwarded immediately to the county treasurer of the county in which such conviction is had, and it shall be the duty of such county treasurer to keep the same in a separate fund which shall be designated as an enforcement fund, and against which fund shall be drawn all warrants for any expenditures in the enforcement of this chapter which shall have been approved by the district attorney of said county. All claims shall be verified by the claimants or persons having knowledge or supervision of the expenditures thereof, and shall be audited by the county court in the usual manner before presentation for the payment thereof; when such enforcement fund shall exceed the amount paid to satisfy the total of all claims made against such fund during the calendar year immediately preceding, the excess amount thereof shall be paid over to the general fund of such county semiannually by the county treasurer on June 30 and December 31 of each and every year; provided, that any fine imposed or collected by a municipal judge within the State of Oregon may be retained by said municipality and shall be paid over and become a part of the general fund of such city or town. [1953 c.176 s.17; 1999 c.788 s.58]

Note: 472.320 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.410 [1953 c.176 s.20; repealed by 1983 c.350 s.331a]

LOCAL OPTION

472.415 Petition and election for local option. (1) The governing body of a city described in this section or a county, when a petition is filed as provided in this section, shall order an election on the question whether the sale by the individual glass of alcoholic liquor containing more than 14 percent of alcohol by volume shall be prohibited in the city or county. An election under this section shall be held on the date of the next statewide general election.

(2) A petition filed under this section must be filed not less than 60 days before the day of the election. All other requirements of preparing, circulating and filing a petition under this section:

(a) In the case of a city, shall be as provided for an initiative petition under ORS 250.265 to 250.346. However, the petition must be signed by not less than 15 percent of the electors registered in the city.

(b) In the case of a county, shall be as provided for an initiative petition under ORS 250.165 to 250.235. However, the petition must be signed by not less than 15 percent of the electors registered in the county.

(3) An election under this section shall be conducted under ORS chapters 246 to 260.

(4) This section applies to cities having a population of 500 or more in the most recent decennial census. [1983 c.350 s.280]

Note: 472.415 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.420 Effective date of local option. In any county or city that returns a majority vote for or against the sale by the individual glass of alcoholic liquor containing more than 14 percent of alcohol by volume, the law shall take effect on January 1 following the day of election. [1953 c.176 s.21; 1983 c.350 s.281]

Note: 472.420 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.

472.430 [1953 c.176 s.24; repealed by 1983 c.350 s.331a]

472.440 [1953 c.176 s.25; 1983 c.83 s.94; repealed by 1983 c.350 s.331a]

472.450 [1953 c.176 s.26; repealed by 1983 c.350 s.331a]

472.460 [1953 c.176 s.27; repealed by 1983 c.350 s.331a]

472.470 [1953 c.176 s.28; 1955 c.106 s.1; 1979 c.190 s.424; repealed by 1983 c.350 s.331a]

472.480 [1953 c.176 s.29; repealed by 1983 c.350 s.331a]

472.490 [1953 c.176 s.22; 1979 c.190 s.425; repealed by 1983 c.350 s.331a]

472.500 [1953 c.176 s.23; repealed by 1983 c.350 s.331a]

PENALTIES

472.990 Penalties; jurisdiction. (1) Any person or persons who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$500, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment, in the discretion of the court, and for a second or subsequent violation of any kind of the provisions of this chapter, such person shall, upon conviction, be punished by a fine of not more than \$1,000, or by imprisonment in the county jail for not more than one year, or both, in the discretion of the court.

(2) Municipal judges, justices of the peace and circuit courts have concurrent jurisdiction of all violations of the provisions of this chapter committed within their respective city, county or district. [1953 c.176 s.16; 1999 c.788 s.59]

Note: 472.990 is repealed January 1, 2001. See sections 41 and 81, chapter 351, Oregon Laws 1999.