

EXHIBIT "A"

ORDINANCE NO. 290, 1986

AN ORDINANCE REGULATING THE SALE AND  
DISTRIBUTION OF MALT LIQUOR

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

MALT LIQUOR DISTRIBUTION

15.27

Sections:

- C.C.C. 15.27.010 Definitions
- 15.27.020 Sale of Malt Liquor
- 15.27.030 Purchaser's Duty
- 15.27.040 Declaration and Receipt
- 15.27.050 Penalty
- 15.27.060 Severability

C.C.C. 15.27.010 - DEFINITIONS:

(1) Malt Liquor: The term "malt liquor" includes, but is not limited to, beer, strong beer, ale, stout and porter.

C.C.C. 15.27.020 - SALE OF MALT LIQUOR:

Any person who sells or offers for sale the contents of kegs or any other container containing four (4) gallons or more of malt liquor, or leases kegs or other containers which hold four (4) gallons or more of malt liquor, to consumers who are not licensed under RCW 66.24 shall:

(1) Require the purchaser to sign a triplicate receipt for the keg or container or the contents thereof and provide the following:

(a) Two pieces of identification, one of which is a motor vehicle operator's license or a Washington State Identification Card;

(b) The particular address where the keg or container will be physically located and consumed;

(c) (i) A sworn statement, under penalty of perjury, that the purchaser is of legal age to purchase, possess, or use malt liquor;

(ii) That the purchaser will not allow any person under the age of twenty-one (21) years to consume the beverage except as provided in RCW 66.44.270;

(iii) That the purchaser will not remove or obliterate or allow to be removed or obliterated, the identification number label affixed to the container or keg.

(2) Record the identification of the keg or container in the following manner for the purpose of tracing the item if the contents are consumed in violation of this code:

(a) Affix to each keg or container a numbered label, hereafter referred to as the identification number;

(b) Record the serial number of the keg or container and the identification number on the receipt.

(3) The original copy of the receipt shall be retained for a period of ninety (90) days, subject to inspection by the Clallam County Sheriff's Department. A second copy of the receipt shall be provided to the purchaser, and the third copy of the receipt shall be provided to the Clallam County Sheriff's Department within seven (7) days of the date of purchase.

(4) Notify the Clallam County Sheriff's Department immediately in the event a keg or container purchase exceeds sixteen (16) gallons or more of malt liquor to one (1) purchaser. The seller will provide the purchaser's name, address and driver's license number to the Sheriff's Department.

C.C.C. 15.27.030 - PURCHASER'S DUTY:

Any person who purchases the contents of kegs or other containers containing four (4) gallons or more of malt liquor, or purchases or leases a keg or container which holds four (4) or more gallons of malt liquor shall:

(1) Be of legal age to purchase, possess or use malt liquor;

(2) Not allow any person under the age of twenty-one (21) years to consume the beverage except as provided in RCW 66.44.270;

(3) Not remove, obliterate, or allow to be removed or obliterated, the numbered label affixed to the container;

(4) Not remove, keep or store keg or its contents except for transporting to and from the **RETAILER**, at any place other than that particular address declared on the receipt and declaration.

C.C.C. 15.27.040 - DECLARATION AND RECEIPT:

The form of the declaration and receipt required herein shall be substantially in the following form:

RECEIPT FOR SALE OF MALT LIQUOR

TAVERN OR STORE: \_\_\_\_\_ DATE: \_\_\_\_\_  
SELLER: \_\_\_\_\_  
NAME OF PURCHASER: \_\_\_\_\_  
ADDRESS OF PURCHASER: \_\_\_\_\_  
DRIVER'S LICENSE #: \_\_\_\_\_  
KEG IDENTIFICATION #: \_\_\_\_\_ SERIAL # \_\_\_\_\_  
NO. OF KEGS SOLD: \_\_\_\_\_ TOTAL GALLONS: \_\_\_\_\_  
BRAND: \_\_\_\_\_  
ADDRESS OR LOCATION WHERE KEG WILL BE HOUSED AND CONSUMED: \_\_\_\_\_

I declare under penalty of perjury that the information provided in this receipt is true and correct and that I am over the legal age to purchase, possess, or use malt liquor, that I will not allow the malt liquor purchased and identified by this receipt to be consumed by any person who is under the age of twenty-one (21) years except as provided by RCW 66.44.270, and that I will not remove or obliterate or allow to be removed or obliterated the numbered identification label affixed to the container or keg.

PURCHASER SIGNATURE: \_\_\_\_\_

C.C.C. 15.27.050 - PENALTY:

The violation of any provision of this ordinance shall be a misdemeanor punishable by a fine of not more than \$500.00 or by imprisonment not to exceed six (6) months, or both.

C.C.C. 15.27.060 - SEVERABILITY:

If any section, sentence, clause or provision of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity or constitutionality of any other section, sentence, clause or provision of this chapter.

ADOPTED this 3<sup>rd</sup> day of June, 1986.

BOARD OF CLALLAM COUNTY COMMISSIONERS

*Evan Jones*  
Evan Jones, Chairman

*Lawrence Gaydeski*  
Lawrence Gaydeski

*Dorothy Duncan*  
Dorothy Duncan

ATTEST:

*Margie Baird*  
Deputy Clerk of the Board