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s;ord malt liquor:21

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SNOHOMISH COUNTY
EXECUTIVE OFFICE

COUNTY COUNCIL
Snohomish County, Washington

MAR 27 1986 513

ORDINANCE NO. 86-021

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REGULATING THE SALE
AND DISTRIBUTION OF MALT LIQUOR

BE IT ORDAINED:

Section 1: A new chapter is added to Snohomish County
Code Title 10 as follows:

CHAPTER 10.50

MALT LIQUOR BY THE KEG

- 10.50.010 Seller's Duty
- 10.50.020 Purchaser's Duty
- 10.50.030 Declaration and Receipt
- 10.50.040 Penalty
- 10.50.050 Severability

10.50.010 Seller's Duties. Any person who sells or offers for sale the contents of kegs or other containers containing six (6) gallons or more of malt liquor, or leases kegs or other containers which will hold six (6) gallons of malt liquor, to consumers who are not licensed under Chapter 66.24 RCW shall do the following for any transaction involving said container:

1. Require the purchaser of the malt liquor to sign a declaration and receipt for the keg or other container and/or beverage in substantially the form provided herein.

2. Require the purchaser to provide two pieces of identification, one of which is a motor vehicle operator's license, Washington State identification card, or military identification card.

3. Require the purchaser to sign a sworn statement, under penalty of perjury, that:

(a) The purchaser is of legal age to purchase, possess or use malt liquor;

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

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

4. Require the purchaser to state the particular address where the malt liquor will be consumed, or the particular address where the keg or other container will be physically located.

5. Affix to each keg or container a numbered label, hereafter referred to as the identification number.

6. Record the identification number, and any other number appearing on the keg or container, on any declaration or receipt of purchase.

7. Retain the original copy of the declaration and receipt for a period of one (1) year for inspection by any law enforcement agency. Such inspection shall be allowed upon request of a law enforcement officer having a reasonable belief that a violation of this chapter or related alcohol enforcement laws has or will occur.

8. Provide a copy of the declaration and receipt to the purchaser.

9. Require the purchaser to maintain a copy of the declaration and receipt next to or adjacent to the keg or other container, in no event a distance greater than five (5) feet, and visible

without physical barrier from such keg, during the time that the keg or other container is in the purchaser's possession and/or control.

10.50.020 Purchaser's Duty. Any person who purchases the contents of kegs or other containers containing six (6) gallons or more of malt liquor, or purchases or leases the container 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) to consume the beverage except as provided by RCW 66.44.270;
3. Not remove, obliterate, or allow to be removed or obliterated, the numbered label affixed to the container;
4. Not move, keep or store keg or its contents, except for transporting to and from distributor, at any place other than that particular address declared on the receipt and declaration;
5. Maintain a copy of the declaration and receipt next to or adjacent to the keg or other container, in no event a distance greater than five (5) feet, and visible without physical barrier from such keg, during the time that the keg or other container is in the purchaser's possession and/or control.

10.50.030 Declaration and Receipt. The form of the declaration and receipt required herein shall be substantially in the following form and shall require the information contained in the following form:

RECEIPT FOR SALE OF MALT LIQUOR IN KEGS OR CONTAINERS
TO UNLICENSED PERSONS

Date of Sale _____ Invoice No. _____

Keg Identification Number(s) _____

Brand _____ Keg Capacity _____

No. of Kegs _____ Total Gallons _____

Name of Purchaser _____

Address _____

Address or location where keg will be located _____

Motor Vehicle Operator's License Number _____

Washington State Identification Card _____

Other Identification _____

I declare under penalty of perjury 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) except as provided by RCW 66.44.270, and that I will not remove or obliterate the numbered identification label affixed to the container.

Signature of Purchaser

Identity of Seller _____

Address of Licensed Premises _____

NOTICE

It is unlawful for any person under the age of twenty-one (21) years to acquire in any manner, consume or have in his or her possession, any intoxicating liquor, provided that the foregoing shall not apply in the case of liquor given or permitted to be given to such person under the age of twenty-one (21) years by his parent or guardian for beverage or medicinal purposes in the home or administered to him by his physician or dentist for medicinal purposes. A person who signs this receipt with knowledge that any information in the receipt is false commits perjury. Violations of any of the provisions of the Snohomish County Ordinance which requires this statement and these terms is a misdemeanor punishable by a fine of not more than \$500.00, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

10.50.040 Penalty. The violation of any provisions of this ordinance shall be a misdemeanor punishable by a fine of not more than \$500.00 or by imprisonment not to exceed six months, or both such fine and imprisonment.


10.50.050 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 phrase of this chapter.

PASSED this 26th day of March, 1986.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

Approved as to Form:


Deputy Prosecuting Attorney

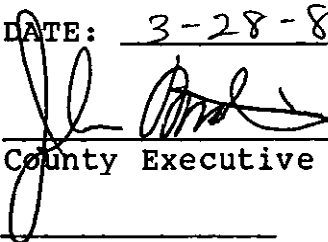
ORDINANCE RE: SALE OF MALT LIQUOR - 5

ATTEST:

Asst. Sheila McCallister
Clerk of Council

- () APPROVED
- () VETOED
- () EMERGENCY

DATE: 3-28-84


County Executive

PUBLISHED _____ and _____

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