

ORDINANCE NO. 624-A

Unanimously adopted by all Commissioners

AN ORDINANCE PROHIBITING THE PURCHASE OR PURCHASES OR POSSESSION OF ALCOHOLIC LIQUOR, INCLUDING POSSESSION BY CONSUMPTION, BY A PERSON UNDER THE AGE OF 21 YEARS AS A VIOLATION OF THE ORDINANCES OF THIS CITY PUNISHABLE BY A FINE OF NOT MORE THAN \$100.00.

The City of Warrenton ordains as follows:


- Section 1. No person under the age of 21 years shall attempt to purchase, purchase or acquire alcoholic liquor. Except when such minor is in a private residence accompanied by his parent or guardian and with such parent's or guardian's consent, no person under the age of 21 years shall have in his possession alcoholic liquor.
- Section 2. For purposes of this section, possession of alcoholic liquor includes the acceptance or consumption of a bottle of such liquor, or any portion thereof or a drink of such liquor. However, this section does not prohibit the acceptance or consumption by any person of sacramental wine as part of a religious rite or service.
- Section 3. "Possess" means to have physical possession or otherwise to exercise dominion or control over property. (ORS 161.015(8)).
- Section 4. A person under the age of 21 years who attempts to purchase, purchases or acquires alcoholic liquor, or who illegally has in his possession alcoholic liquor, commits a violation punishable by a fine of not more than \$100.00.
- Section 5. This offense is a violation in that it is punishable only by a fine, forfeiture, fine and forfeiture or other civil penalty. Conviction of this violation does not give rise to any disability or legal disadvantage based upon a conviction of a crime (ORS 161.565 paraphrased).
- Section 6. An emergency is hereby declared to exist for the reason that it is necessary for the city to correct discrepancies between its existing ordinance and the amendments to the Oregon Revised Statutes made by the 1975 Session of the Oregon Legislature and to provide the remedy of a fine of not more than \$100.00 instead of subjecting defendants to jail, and for the health and safety of the citizens of the community; therefore, this Ordinance shall go into full force and effect immediately.
- Section 7: If any articles, section, subsection, subdivision, phrase, clause, sentence, or word in this ordinance shall for any reason be held invalid or unconstitutional by a

court of competent jurisdiction, it shall not nullify the remainder of the ordinance, but shall be confined to the article, section, subsection, subdivision, clause, sentence, or word so held invalid or unconstitutional.

Section 8 All ordinances inconsistent herewith are repealed.

Passed by the City Commission of the City of Warrenton this 3RD day of May, 1976.

Approved by the Mayor of the City of Warrenton this 3RD day of May, 1976.

  
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Mayor

ATTEST:

  
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Auditor and Police Judge