

Senate Bill 698

Sponsored by Senator DINGFELDER, Representative KOTEK; Senators MONNES ANDERSON, MONROE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows city to order cessation of alcoholic beverage sales or other operations at premises licensed for full or limited on-premises sales or as brewery-public house upon reasonable belief that continued sales or operation are immediate threat to public safety.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to threats to public safety involving premises licensed for the sale of alcoholic beverages;
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 471.**

6 **SECTION 2. (1) Notwithstanding ORS 471.730, a city governing body or an authorized**
7 **representative or designee of a city governing body may order the cessation of alcoholic**
8 **beverage sales or of other operations at a premises licensed for full or limited on-premises**
9 **sales or as a brewery-public house for a period not exceeding 72 hours if the governing body,**
10 **representative or designee determines that the continuation of sales or operations at the**
11 **premises would constitute an immediate threat to public safety based upon a reasonable be-**
12 **lief that an offense listed in subsection (2) of this section involved patrons of the premises,**
13 **occurred in the immediate vicinity of the premises, was related to the sale or service of al-**
14 **cohol at the premises and occurred within 24 hours prior to issuance of the order.**

15 **(2) Subsection (1) of this section applies for the following offenses:**

16 **(a) ORS 163.005 or 163.095;**

17 **(b) ORS 163.165, 163.175 or 163.185;**

18 **(c) ORS 163.225 or 163.235;**

19 **(d) ORS 163.375, 163.405 or 163.411;**

20 **(e) ORS 166.220, 166.250 or 166.270; or**

21 **(f) Any provision of ORS 475.840 or 475.846 to 475.894.**

22 **(3) The power of a city under subsection (1) of this section is in addition to any other**
23 **regulatory action or sanctions that may lawfully be taken by the city or by the Oregon Li-**
24 **quor Control Commission.**

25 **SECTION 3. Section 2 of this 2011 Act applies to offenses that a city governing body,**
26 **authorized representative or designee reasonably believes to have occurred on or after the**
27 **effective date of this 2011 Act.**

28 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**
29 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
30 **on its passage.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

