

Senate Bill 467

Sponsored by Senator DINGFELDER, Representative TOMEI; Senators MONROE, SHIELDS, Representatives ESQUIVEL, KENY-GUYER

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 operations are immediate threat to public safety.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to addressing the impacts of alcoholic beverages; and declaring an emergency.

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

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 471.

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

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

(a) ORS 163.095 or 163.115;

(b) ORS 163.118, 163.125, 163.145 or 163.149;

(c) ORS 163.165, 163.175 or 163.185;

(d) ORS 163.225 or 163.235;

(e) ORS 163.375, 163.405 or 163.411;

(f) ORS 166.220, 166.250 or 166.270; or

(g) Any provision of ORS 475.752 or 475.806 to 475.894.

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

SECTION 3. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect 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.