

## CLARKE COUNTY KEG ORDINANCE #22

- § 1 TITLE
- § 2 PURPOSE
- § 3 DEFINITIONS
- § 4 REGISTRATION/RETURN PROCEDURE
- § 5 KEG POSSESSION REQUIREMENTS/RESTRICTIONS
- § 6 RETAILER VIOLATIONS
- § 7 KEG STICKER-LABEL PROHIBITIONS
- § 8 VIOLATION/PENALTY
- § 9 EFFECTIVE DATE

### **§ 1 TITLE**

An Ordinance providing for the registration and documentation of retail sales of alcoholic beverages packaged and purchased in Keg containers.

### **§ 2 PURPOSE**

Alcohol is the drug most frequently used by youth twelve to seventeen years of age and the drug that caused the most negative health consequences for those children. A study by researchers at the University of Minnesota, Alcohol Epidemiology Program indicates that underage use of alcohol contributes to Risky Sexual Behavior, Alcohol Poisoning, Suicide, Rape and Sexual Assault, Water Related Injuries and Drowning, Vehicular Accidents and High School Related Problems. Requiring registration for those who propose to serve Keg based beer, wine and malt beverage products for off premise consumption will assist law enforcement authorities within Clarke County in identifying those individuals who provide Keg based alcohol products to minors in violation of existing state laws and thereby reduce the flow of those products to underage drinkers, It is therefore in the public interest to put in place reasonable requirements for the registration of Keg based alcohol products.

### **§ 3 DEFINITIONS**

1. “Retailer” is any person who proposed to sell at retail, any alcoholic beverage by a Keg container of two (2) gallons or more in Clarke County, Iowa, for off site consumption.
2. “Purchaser” is any person who proposed to purchase any alcoholic beverages by a Keg container of two (2) gallons or more in Clarke County, Iowa, for off site consumption.
3. “Keg” is any container which holds two (2) gallons or more of alcoholic beverages.
4. “Log” is that form provided by the Office of the Clarke County Auditor to the Retailer for recording Keg purchase and return information, including information so recorded.
5. “Keg Label-Sticker” is that label-sticker provided by the Office of the Clarke County Auditor to the Retailer for attachment to each Keg sold for off premises consumption and bearing an individual identification number.

#### **§ 4 REGISTRATION/RETURN PROCEDURE**

Any Retailer who proposes to sell at retail, any alcoholic beverage by Keg container of two (2) gallons or more in Clarke County, Iowa, for off site consumption shall comply with the following registration, documentation and labeling requirements:

- A. Retailer shall require all Keg purchasers to provide Retailer current government—issued photo identification containing Purchaser’s name, address, and individual identification number;
- B. Retailer shall attach to each Keg sold for offsite consumption a Keg Label-Sticker obtained from the Office of the Clarke County Auditor bearing individual Keg identification number.
- C. Retailer shall record the following information for each Keg sold in a Log provided by the Clarke County Auditor:
  - 1. Date of sale;
  - 2. Name of Purchaser;
  - 3. Address of Purchaser;
  - 4. Purchaser identification number (e.g. driver’s license number);
  - 5. Individual Keg identification number from Keg Label-Sticker;
  - 6. Initials of Retailer’s employee conducting transaction. Retailer shall collect a minimum deposit of \$30.00 for each Keg purchased.
- D. Purchaser shall return Keg to the Retailer where purchased with the Keg Label-Sticker attached, intact and legible, on or before sixty (60) days from the date of purchase or the deposit shall be forfeited.
- E. Retailer shall record in the Log the date on which each Keg is returned and whether the Keg Label-Sticker is present or absent.
- F. Retailer shall remove the Keg Label-Sticker on any returned Keg. Used Label-Stickers are to be destroyed.
- G. Retailer shall retain Log for a period of ninety (90) days following Keg purchase. Retailer shall produce Log to any law enforcement personnel upon request.

#### **§ 5 KEG POSSESSION REQUIREMENTS/RESTRICTIONS**

No person shall possess a Keg container of alcoholic beverage of two (2) gallons or more which was purchased in a retail sales transaction in Clarke County, Iowa, after the effective date of this ordinance, for off site consumption, without a legible, undamaged and unaltered Keg Label-Sticker attached to the Keg.

#### **§ 6 RETAILER VIOLATIONS**

No Retailer shall sell or offer for sale in any transaction after the effective date of this Ordinance, any Keg of two (2) gallons or more, containing an alcoholic beverage, without complying with the requirements of §4 of this Ordinance.

#### **§ 7 KEG LABEL-STICKER/PROHIBITIONS**

No person shall alter, damage, destroy or remove the Keg Label-Sticker which is described and required by this Ordinance after it has been attached to a Keg sold at retail, except as allowed in §4(G).

**§ 8 VIOLATION/PENALTY**

A person or Retailer who violates any of the above requirements or restrictions shall be subject to a fine not to exceed \$500 or a term of imprisonment not to exceed thirty days.

**§ 9 EFFECTIVE DATE**

This Ordinance shall become effective sixty (60) days from and after publication as required by law. No Keg purchased before the effective date of this Ordinance shall be subject to Ordinance regulation and restriction.

Approved by the Clarke County Board of Supervisors the 7 day of August, 2006.

CLARKE COUNTY BOARD OF SUPERVISORS

CLARKE COUNTY AUDITOR

JACK COOLEY  
CHAIRMAN

ATTEST: JUDY CHURCH

MYRON MANLEY  
MEMBER

DON REASONER  
MEMBER