

ORDINANCE #10
POWESHIEK COUNTY KEG REGISTRATION

TITLE: AN ORDINANCE PROVIDING FOR THE REGISTRATION AND DOCUMENTATION OF RETAIL SALES OF KEG ALCOHOLIC BEVERAGE AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

SECTION 1: KEG REGISTRATION/RETURN PROCEDURE

All retail sales/purchases of alcoholic beverages by keg container of two (2) gallon volume or more in Poweshiek County, Iowa, for off site consumption must comply with the following registration, documentation and labeling requirements and restrictions imposed by this ordinance, to-wit:

- A. Purchaser shall provide a photographic identification document and their name, address and individual identification number to the seller who shall then record and document that information on a registration form and include therewith the individual keg identification number assigned to the keg by the seller appearing on the identification labels hereinafter described and specify the return date of the keg by the purchaser to the seller;
- B. Seller shall assign, record and attach to each retail keg sold for off site consumption an individual keg identification number label sticker at the time of the delivery thereof to the purchaser and the label sticker shall also include a prominent warning thereon that it is illegal to alter, damage or remove the label sticker from the keg;
- C. Sellers shall obtain the individual keg identification number label stickers with prominent warning thereon from the Poweshiek County Auditor's Office which shall record to whom the consecutively numbered label stickers are distributed and shall restrict the distribution thereof to licensed alcoholic beverage retailers;
- D. Purchaser shall return the keg to the retail seller thereof from whom it was purchased with the individual keg identification label sticker attached thereto, intact, legible and undamaged on or before the return date specified on the keg registration form;
- E. Seller shall record the date on which the keg is returned, by whom, the condition of the individual keg identification label sticker or absence thereof on the keg registration form;
- F. Seller shall remove the individual keg identification label stickers from the kegs when they are returned and shall maintain them with the corresponding keg registration records for a period of twelve (12) months thereafter;

G. Seller shall provide keg registration records to law enforcement agencies upon the agency request to do so.

SECTION II: KEG POSSESSION REQUIREMENTS/RESTRICTIONS

No person shall possess a keg container of alcoholic beverage of two (2) gallons or more which was purchased/sold in a retail sales transaction in Poweshiek County, Iowa, after the effective date of this ordinance for off site consumption without an intact, legible and undamaged individual keg identification label sticker attached thereto (except the seller thereof after its return thereto).

SECTION III: KEG STICKER PROHIBITIONS

No person shall alter, damage, destroy or remove the individual keg identification label sticker which is described and required by this ordinance after it has been attached to the corresponding keg (except the seller thereof after its return thereto).

SECTION IV: VIOLATION PENALTY

A person who violates the requirements and/or restrictions imposed by this ordinance shall be subject to a fine not to exceed \$500.00 or a term of imprisonment not to exceed thirty (30) days.

SECTION V: SEVERABILITY CLAUSE


If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this document, which are separable from the unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

EFFECTIVE DATE

This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed this 9th day of August 2004.


POWESHIEK COUNTY BOARD OF SUPERVISORS



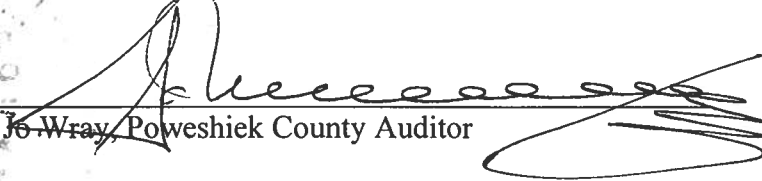
Roger C. Roudabush, Chairman



Sandy Moffett, Vice-Chairman



Tom Law, Member

Attest: 

Jo Wray, Poweshiek County Auditor

1st reading-July 26, 2004
2nd reading-August 2, 2004
3rd reading-August 9, 2004

Adoption August 9, 2004

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