

CHAPTER 11
JONES COUNTY KEG REGISTRATION ORDINANCE
TITLE V - PUBLIC ORDER, SAFETY & HEALTH

SECTION 1. TITLE

This ordinance shall be known and may be cited and referred to as the Jones County Keg Registration Ordinance.

SECTION 2. PURPOSE

The identification of purchasers/providers of keg alcoholic beverage for consumption by underage persons is a major law enforcement concern in Jones County, Iowa. When keg alcohol is found where underage persons are present it is necessary to readily identify those responsible. The investigation of crimes involving the furnishing of alcohol to minors and related crimes involving keg alcoholic beverages is inhibited by the inability to identify who purchased the keg alcohol. Registration/identification information must be available on all keg alcohol beverage in Jones County, Iowa. Individual identification number, purchaser and retail seller identity information will better enable law enforcement to identify providers of keg alcoholic beverages to underage persons. Therefore, it is in the public interest to place reasonable keg registration/identification rules as hereinafter set forth. This ordinance provides for the registration and documentation of retail sales of keg alcoholic beverages.

SECTION 3. REGISTRATION AND RETURN PROCEDURE

All retail sales/purchases of alcoholic beverage by keg container of two gallon volume or more in Jones County, Iowa, for off site (at a location which does not hold a liquor license) consumption must comply with the following registration, documentation and labeling requirements and restrictions imposed by this ordinance:

- A. Purchasers shall provide a current government issued photo identification with the purchaser's name, address, and individual identification number to the seller who shall then record and document that information in a log. The log shall also contain the individual keg identification assigned to the keg by the seller, and include the date of sale and indicate that the photo identification that was produced was matched to the purchaser. The log shall also contain some identifier of each person, owner/employee who sold to each purchaser. This information shall be kept by the seller for a minimum period of six months from the date of sale.
- B. Sellers shall assign, record and attach to each retail keg sold for off site consumption an individual keg identification label/sticker, at or before the time of sale 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 of keg alcohol shall obtain the individual keg identification label/stickers from the Jones County Auditor's Office which shall record to whom the consecutively numbered label/stickers are distributed and shall restrict the distribution of the label/stickers to licensed alcoholic beverage retailers. The Auditor shall keep the record of distribution for one year.
- D. Sellers shall collect a deposit in an amount set by the retailer for each keg. Purchasers shall return kegs to the retail seller where it was purchased with the individual keg identification label/sticker attached, intact and legible on

or before sixty (60) days from the date of sale or the deposit shall be forfeited.

- E. Sellers shall record the date on which the keg is returned, who returned the keg and indicate whether the keg identification label/sticker is present or absent by notation on the log.
- F. Sellers 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.
- G. Sellers shall produce keg registration logs/records to law enforcement upon request.
- H. This ordinance does not apply to keg sales to liquor license permittees.

SECTION 4. KEG POSSESSION REQUIREMENTS AND RESTRICTIONS

No person shall possess a keg container of alcoholic beverage of two gallons or more which was purchased in Jones County, Iowa, for consumption, after the effective date of this ordinance, without an intact and legible individual keg identification label/sticker attached (except for retail sellers of keg alcohol and liquor license permittees).

SECTION 5. KEG STICKER / LABEL PROHIBITIONS

No person shall alter, damage, destroy or remove the individual keg label/sticker which is described and required by this ordinance or other county ordinance/law after it has been attached to the keg (except retail sellers of keg alcohol).

SECTION 6. VIOLATION / PENALTY

A seller or purchaser or other person who violates any of the above requirements and/or restrictions imposed by this ordinance shall be subject to a fine not to exceed \$500 or a term of imprisonment not to exceed 30 days.

SECTION 7. SEVERABILITY CLAUSE

This Ordinance and any amendment hereto and the various parts, sections, subsections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance or amendment hereto shall not be affected thereby.

SECTION 8. RELATIONSHIP TO OTHER LAWS

Nothing contained herein shall serve to abrogate, limit, repeal, or otherwise modify any other County ordinance or regulation, except as expressly set forth herein. If any provision of this Ordinance conflicts with the provisions of any other Federal, State, or County ordinance, regulation, or statutes, the most restrictive standard shall apply.

SECTION 9. EFFECTIVE DATE

This ordinance shall be in effect July 1, 2006, after its final passage, approval and publication as provided by law.

Passed and approved May 16, 2006
Published May 26, 31 and June 1, 2006
Effective July 1, 2006