



## FINDINGS OF FACT

1. Licensees held a Dispenser Class A license at the 86 CORRAL CLUB, 250 N. Sixth Street, Redmond, Oregon, at all times relevant to the facts herein.

2. Licensees have been charged by the Commission with the following violations:

- a. ORS 472.180(8) (sale or service of alcoholic liquor to a minor).
- b. OAR 845-06-035(2)(a) (permitted minors to consume alcoholic liquor).
- c. OAR 845-06-035(2)(b) (permitted minors to enter and remain).
- d. ORS 471.130(1) (failure to require ID or take Statement of Age form).

3. Licensees have stipulated to Findings of Fact 4 and 5.

4. On December 4, 1983, Licensees' employees permitted two minors to enter and remain on the premises, and to consume alcoholic liquor. Licensees' employee sold alcoholic liquor to both minors, and did not request age identification or take a Statement of Age form.

5. On December 4, 1983, both minors appeared to be less than 21 years old.

6. At the time of the hearing each minor appeared to be between 16 and 18 years of age.

## DISCUSSION

Licensees did not controvert the facts alleged in the Commission's violation report, or offer any supplemental evidence. Their only reason for requesting a hearing was to protest the fact that the OLCC penalizes licensees rather than minors for violations of liquor laws relating to minors. Licensees offered a fairly detailed statement arguing that licensees are unfairly penalized for the misbehavior of others.

## ULTIMATE FINDINGS OF FACT AND CONCLUSIONS OF LAW

Licensees admitted violating ORS 472.180(8) (sale to a minor), OAR 845-06-035(2)(a) (permitted minors to consume alcoholic liquor), OAR 845-06-035(2)(b) (permitted minors to enter and remain) and ORS 471.130(1) (failed to require age identification or take a Statement of Age form).

## ULTIMATE CONCLUSIONS OF LAW

Licensees violated ORS 472.180(8), OAR 845-06-035(2)(a), OAR 845-06-035(2)(b) and ORS 471.130(1). No mitigating factors are present.

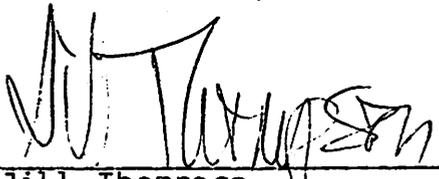
## FINAL ORDER

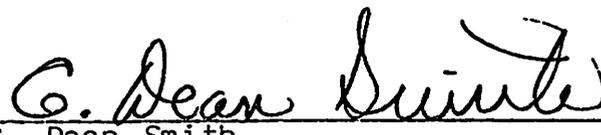
It is hereby ordered that the Dispenser Class A (DA) license held by Jim Scott Investments, Inc. and Kwan Ling & Bik-Ling Lam at the 86 Corral Club, 250 N. Sixth Street, Redmond, Oregon, be SUSPENDED for fifteen (15) days or that Licensees pay a \$975 fine in lieu of suspension.

It is further ordered that due notice of such action, stating the reasons therefor, be given as provided by law.

If you choose to pay the fine it must be paid within ten (10) days of the date of this Order, otherwise the suspension must be served.

Dated this 4th day of June, 1984.

  
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Jill Thompson  
Hearings Examiner  
Hearings Division

  
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C. Dean Smith  
Administrator  
OREGON LIQUOR CONTROL COMMISSION

NOTICE: You are entitled to Judicial Review of this Order. Judicial Review may be obtained by filing a Petition for Review within 60 days from the service of this Order. Judicial Review is pursuant to the Provisions of ORS Chapter 183.