



News Release

Oregon Liquor Control Commission
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Friday, July 15, 2011

OLCC issues immediate restrictions on Shenanigan's liquor license

PORTLAND, Ore. – The Oregon Liquor Control Commission has issued nine restrictions effective immediately on the liquor license of Shenanigan's Irish Pub/Shenanigan's Bar & Grill. The restrictions are supported by the Medford Police Department.

The restrictions came as the result of a history of serious and persistent problems at the bar including fights and altercations that resulted in injuries to customers, employees and police. The problems include at least 30 serious incidents involving violence, the threat of violence or drug activity at the business.

"We want businesses to be successful, but not at the expense of public safety," says Jeff Jett, Medford Regional Manager. "The owner has been willing to work with us and police. However, his efforts have not been successful to curb the number of calls for service or reports of DUII from his business. These are serious restrictions designed to put parameters on the business to keep the customers, employees and police safe."

The restrictions (complete list attached) include:

- Alcohol service will end at 1:30 a.m. for the entire premises
- The "shot bar" also known as "The Bomb Shelter" will stop selling alcohol at 10:00 p.m.
- No alcohol at any time to be permitted in the dance club portion of the licensed premises
- All "secondary" service points will be eliminated, including the "Lemonade Stand" on the patio
- No re-entry to the premises will be allowed after 11:00 p.m.
- Two DPSST certified security guards will be posted at the main entrance. One will be designated to evaluate customer's level of intoxication
- At least one alcohol monitor will be placed at all points of sale between 9:00 p.m. to close
- A customer can possess no more than one container of alcohol at a time. Each container will contain no more than 16 oz of malt beverage, six oz of wine or two oz of distilled spirits. "Jell-O shot" beverages will not be served
- There will be no sale of multi-shot beverages (similar to Long-Island Iced Teas and "Bucket" drinks) after 11:30 p.m.

Failure to comply with the restrictions could result in liquor license cancellation.

The liquor license is held by Robert B. Brown. Shenanigan's Irish Pub/Shenanigan's Bar & Grill is located at 17 South Riverside Avenue, Medford.

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"Promoting Responsible Alcohol Sales and Service"

Did you know that in the last two years, the OLCC distributed more than \$343 million to Oregon's General Fund, Cities, Counties, and Drug and Alcohol Abuse Programs? [See the distribution of dollars on OLCC's Website.](#)



Oregon

John A. Kitzhaber, MD, Governor

Liquor Control Commission

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Robert Brown

dba **SHENANIGAN'S IRISH PUB / SHENANIGAN'S BAR & GRILL (F-COM)**

17 S Riverside

Medford, OR 97501

PERSONAL DELIVERY

ORDER OF IMMEDIATE LICENSE RESTRICTIONS
and NOTICE OF OPPORTUNITY FOR HEARING

Your Full On-Premises License is restricted with the following license restrictions
EFFECTIVE IMMEDIATELY:

1. There shall be no sale, service, or consumption of alcohol on the entire licensed premises after 1:30 AM. In the "Bomb Shelter" aka "Shot Bar" portion of the licensed premises (as identified in Licensee's floor plan approved by the Commission December 2, 2010), there shall be no sale, service or consumption of alcoholic beverages after 10:00 PM.
2. The sale, service and consumption of alcoholic beverages is prohibited in the "Night Club" portion of the licensed premises.
3. Licensee shall not sell or serve alcoholic beverages from "secondary" service points within the premises (including but not limited to the "Lemonade Stand" on the patio, second service station in the "Sports Bar" and second shot bar in the "Bomb Shelter" portions of the premises). Licensee shall only sell or serve alcoholic beverages from five service points and shall not add any additional service points.
4. A patron leaving the premises after 11:00 PM shall not be allowed re-entry until the business opens on the following business day.
5. Licensee shall have at least two DPSST-certified security personnel on duty at the primary entrance to the licensed premises (17 S. Riverside) at all hours the licensed premises is open. One of these personnel shall evaluate each patron's level of intoxication.
6. Licensee shall have at least one on-duty Alcohol Monitor posted at each point of sale between 9:00 PM and closing to evaluate each patron's level of intoxication.
7. A patron may possess no more than one container of alcohol at one time. Each container of alcohol will contain no more than 16 ounces of malt beverage, 6



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ounces of wine, or 2 ounces of distilled spirits. Licensee shall not sell or serve "Jell-O shot" beverages.

8. Licensee shall not sell or serve multi-shot beverages (including but not limited to Long Island Ice Teas) after 11:30 PM.

This Order of Immediate License Restrictions is being issued because continued operation of your premises represents a serious danger to the public health and safety. ORS 183.430(2).

These restrictions are based upon the following alleged violation of ORS 471.315(1)(c) which the Commission will take action on separately from this Order of Immediate Restrictions:

From about October 23, 2010 to the present, there has been a history of serious and persistent problems involving disturbances, unlawful activities or noise either in the premises or involving patrons of the establishment in the immediate vicinity of the premises, including but not limited to excessive noise, public drunkenness, fights, altercations, harassment and public urination. The problems include at least 30 serious incidents involving violence, the threat of violence or drug activity at the licensed premises. At least 10 of these serious incidents resulted in injury to patrons or premises staff. In addition, the problems include at least 15 incidents involving public intoxication, public urination or disorder involving damage to property. This is a violation of ORS 471.315(1)(c).

SERIOUS DANGER TO THE PUBLIC HEALTH AND SAFETY

There have been at least 45 documented incidents at the licensed premises in a nine-month period. Police have responded to the licensed premises regarding complaints of assaults, disturbances and unlawful activity. Incidents have included physical altercations involving fighting, punching, and verbal assaults. On at least one occasion, a beer bottle was used as a weapon in an altercation. Most of the patrons involved in disturbances were intoxicated.

These incidents have occurred inside the licensed premises, in areas that Licensee controls outside the premises, and in the immediate vicinity of the licensed premises. In addition, there have been numerous instances of public drunkenness in the immediate vicinity of the licensed premises. Patrons and staff have sustained injuries as a result of these incidents, and some incidents have resulted in damage to property.

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Licensee has been warned about disturbances on several occasions. Commission staff issued several verbal instructions to Licensee in 2010 regarding intoxicated patrons and neighborhood livability. Licensee has proposed a control plan, but has not substantially implemented the terms of the plan. Despite Public Safety Program staff's and local law enforcement's efforts to intervene, serious problems continue to occur. Licensee has not yet demonstrated sufficient willingness or ability to maintain adequate control of the premises.

The recent escalation of serious incidents at the premises as well as open hostility by patrons toward police officers demonstrates that continued operation of this premises without restrictions is a serious danger to the public health and safety. Since you have failed to take immediate and effective action to prevent serious danger to the public health and safety, the Commission must impose these immediate license restrictions to keep the public from further harm.

You must exercise your license privileges only in compliance with these restrictions. Failure to comply with any of the restrictions is a Category I violation and may result in cancellation of your license.

RESPONSIBILITY FOR VIOLATIONS

Licensees are responsible for the acts and omissions of their employees and representatives in violation of any law affecting license privileges (OAR 845-006-0362).

HEARINGS RIGHTS

You have the right to a hearing to dispute the Order of Immediate License Restrictions and to demand a hearing to be held as soon as practicable to contest the immediate license restrictions order. If you want a hearing, please sign and date the enclosed form and return it to the address listed on the form no later than 5:00 PM on October 13, 2011. Legal aid organizations may be able to assist a party with limited financial resources. You have a right to be represented by an attorney.

Hearings are conducted by the Office of Administrative Hearings under the jurisdiction of the Oregon Liquor Control Commission, according to the Administrative Procedures Act (ORS Chapter 183), Attorney General's Rules for the Office of Administrative Hearings (OAR Chapter 137) and Commission Administrative Rules (OAR Chapter 845 Division 03).

If you do not request a hearing within 90 calendar days of the date of this order, you will have waived your right to a contested case hearing on the Order of Immediate License Restrictions. If you do not request a hearing, or if you request a hearing and then withdraw your request, a final order by default will be issued by the Commission Administrator. If

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you fail to appear at a scheduled hearing, a final order by default will be issued by either the Administrative Law Judge or the Commission Administrator, as authorized by OAR 845-003-0670.

In each of these instances, the Commission will designate its file or files in this matter, including all materials you have submitted, as part or all of the record supporting its final order by default.

OREGON LIQUOR CONTROL COMMISSION

A handwritten signature in black ink, appearing to read 'SAP', with a long horizontal flourish extending to the right.

Stephen A. Pharo
Executive Director

SAP:KKR

If you have any questions call 503-872-5128 or 800-452-6522 extension 5128.