

OREGON LIQUOR & CANNABIS COMMISSION
CHAPTER 845
EXHIBIT 1
OAR 845-006-0500(7)(8)
(Effective 6/20/2020)

Category	1 violation in a 2-year period	2 violations in a 2-year period	3 violations in a 2-year period	4 violations in a 2-year period	5 violations in a 2-year period	6 violations in a 2-year period	7 violations in a 2-year period
I	Cancel						
II	30 days	Cancel					
II(a)	10 days	30 days	Cancel				
II(b)	10 days or \$2500	30 days or \$4950	30 days	Cancel			
III	10 days or \$1650	30 days or \$4950	30 days	Cancel			
III(a)	10 days or \$1650	20 days or \$3300	30 days or \$4950	30 days and \$4950	30 days	60 days	90 days
IV	7 days or \$1155	10 days or \$1650	20 days or \$3300	30 days	Cancel		
V	3 days or \$495	7 days or \$1155	10 days or \$1650	20 days or \$3300	30 days	Cancel	

SANCTIONS

-- These are guidelines only. Commission may impose a different sanction where appropriate.

-- Amounts are retail, wholesale, and manufacturer licensee civil penalties (\$5000 maximum per violation). Service permittees: multiply days by \$25 (\$500 maximum per violation).

Categories for Most Common Violations

Category I (violations that make licensee ineligible for a license)

Statute	Administrative Rule	Violation
471.155		Failed to maintain a bond (manufacturer/wholesaler)
471.315(1)(a)(F)		Habit of using to excess
471.315(1)(a)(J)		Convicted of a felony (Licensee)
471.385(1)(b)		Convicted of a felony (Service Permittee)
471.315(1)(c)		History of serious and persistent problems
471.365(2)		Allowed use of service permit by another
471.405(1)		Sale of alcohol other than as license permits
	845-005-0355(5)	Restriction violation

	845-005-0400	Failed to maintain liquor liability insurance or bond
	845-006-0347(2)(b)(c); 845-006-0347(3)(b)(c)	Permitting disorderly or unlawful activity resulting in death or serious physical injury or involves use of deadly weapon against another person; or results in Class A felony sexual offense
	845-006-0399(7)	Sale of manufacturer-sealed containers of distilled liquor by F-COM
	845-006-0475	Failed to notify prior to complete change of ownership/ Allowed interest in business without prior Commission approval
	845-006-0498(3)	Operating while suspended

Category II (violations that create an immediate threat to public health or safety)

Statute	Administrative Rule	Violation
471.315(1)(a)(B) 471.385(1)(a) 471.425(1)		Made false statement or representation to induce or prevent Commission action
471.675		Interfered with investigation
	845-006-0345(1)	Under the influence of intoxicants while on duty
	845-006-0345(3)	Failed to call police at inspector's request
	845-006-0345(5)(a)	Denied inspector/police officer access to premises during regular business hours
	845-006-0345(5)(b)	Failed to promptly admit inspector / police officer premises is or appears closed
	845-006-0345(15), (16)	Violating an order issued by the Governor or a public health law created pursuant to an order by the Governor related to the manufacture, possession, sale, purchase, transport, importation, or delivery of alcohol; or permitting the same
	845-006-0347(2)(d) 845-006-0347(3)(d)	Permitting disorderly or unlawful activity that involves use of dangerous weapon against another person with intent to cause death or serious physical injury

Category II(a) (violations for unlawful drug activity)

Statute	Administrative Rule	Violation
471.316	845-006-0348	Unlawful drug activity on the licensed premises

Category II(b) (violations for the sale of alcohol to a minor or failure to check identification. For the first offense in this category, the Commission computes the civil penalty by multiplying the number of days in the suspension by \$250 for retail, manufacturer, and wholesale licensees, and by \$35 for service permittees)

Statute	Administrative Rule	Violation
471.410(2)		Knowingly sold/made alcohol available to a minor
	845-006-0335(1)	Failed to verify the age of a minor (sale/service)

Category III (violations that create a potential threat to public health or safety OR violations of the tied house or financial assistance prohibitions)

Statute	Administrative Rule	Violation
471.315(1)(a)(J)		Convicted of a crime other than a felony (Licensee)
471.385(1)(b)		Convicted of a crime other than a felony (Service Permittee)
471.360(1)(b)		Permitted mixing/selling/serving, or supervising those who do, without a service permit
471.410(1)		Knowingly sold/made alcohol available to a visibly intoxicated person (VIP)
471.412(1)		Knowingly allowing a VIP to consume or continue to consume (4 th violation within two years; first three are reprimands per ORS 471.412(4))
	845-006-0335(3)(a)	Permitted minor to consume alcohol
	845-006-0340(8)(b)	Failed to follow minor control plan
	845-006-0345(1)	Drinking on duty
	845-006-0345(4)	Destroyed or concealed evidence; refused to give evidence upon lawful request of Inspector or police; encourage another to do this
	845-006-0345(8)	Drive-up window
	845-006-0345(11)	Prohibited conduct: promotions
	845-006-0345(12)	Self-service
	845-006-0345(13)	Marijuana use
	845-006-0345(17)	Mix any cannabinoid or industrial hemp commodity with alcoholic beverage
471.425(2)	845-006-0347(2)	Permitted disorderly activity, other than CAT I or CAT II Permitted noisy activity
	845-006-0347(3)	Permitted unlawful activity, other than CAT I or CAT II
	845-006-0347(5)	Drinking alcohol in parking lot

471.394 471.398	845-006-0370 845-013-0001 to 0110	Accepted or provided financial assistance
	845-006-0459 to 0469	Food service violation
	845-009-0145(3), (4)	Off-Premises Sales clerk/liquor agent's employee did not complete required training and continued to sell alcohol

Category III(a) (violations for the sale of alcohol to a minor or failure to check identification when the retail licensee qualifies under the Responsible Vendor Program)

Statute	Administrative Rule	Violation
471.410(2)		Knowingly sold/made alcohol available to a minor (Responsible Vendors only)
	845-006-0335(1)	Failed to verify the age of a minor (sale/service) (Responsible Vendors only)

Category IV (violations that create a climate conducive to abuses associated with the sale or service of alcoholic beverages)

Statute	Administrative Rule	Violation
	845-006-0335(1)	Failed to verify the age of a minor (minor in prohibited area)
471.351(1)		Failed to permit premises or records inspection
471.305		Brewery or Wholesale Malt Beverage and Wine Licensee delivered malt beverages to an unlicensed location
	845-006-0335(3)(b)	Permitted minor to enter or remain in a prohibited area
	845-006-0335(4)	Permitted minor to work in prohibited area
	845-006-0335(6)	Permitted minor entertainer in a prohibited area
	845-006-0340(8)(c)	Failed to make available minor control plan
	845-006-0347(4)	Failed to evict patron
	845-006-0360(1)(c)	Failed to make service permit immediately available for inspection
	845-006-0400	Wine Self-Distribution Permittee delivers wine or cider to a non-endorsed retail licensee
	845-006-0425(1)	After-hours operation (retail licensees)
	845-006-0497(5)	Failure to submit an acceptable compliance plan or follow an approved compliance plan
	845-006-0435 845-010-0170 845-013-0001(4)	Failed to keep required records
	845-006-0450	Retail On-Premises Malt

		Beverage or Wine Sampling
	845-006-0498(1), (2)(b)	Removed, altered, or covered suspension notice sign
	845-007-0015	Advertising media, coupons
	845-009-0130(2), (5)	Failed to meet training brochure requirements for off-premises employees
	845-009-0145(5)(b), (5)(c)	Failed to notify whether Off-Premises Sales Clerk/liquor agent's employee completed clerk training course
471.480(1)		Sale of alcohol by juvenile (Off-premises sales license)
471.482(1)		Sale of alcohol by juvenile (all other sales licenses)

Category V (violations inconsistent with the orderly regulation of the sale or service of alcoholic beverages)

Statute	Administrative Rule	Violation
459A.710	845-020-0040	Failure to accept container returns
	845-005-0400(5)(d)	Failure to post or provide proof of insurance or bond
	845-006-0340(9)(c)	Failed to post or replace minor postings
	845-006-0345(6)	Unlawfully permitted an open container of alcohol to leave premises
	845-006-0345(7)	Permitted unauthorized liquor on premises
	845-006-0345(9)	Gave or permitted liquor as a prize
	845-006-0365	NSF check (licensee used or wholesaler failed to report)
	845-006-0475	Corporate licensee failed to advise of change (other than stock)
	845-006-0480(2) (4)	Changes in premises without prior Commission approval or notice
	845-006-0480(3)	Change of trade name without timely notification
	845-006-0481	Failed to notify Commission of temporary closure
	845-007-0020	Advertising restrictions
	845-007-0035	Failed to remove objectionable and nonconforming advertising