

ORDINANCE NUMBER 28

## ALCOHOLIC LIQUOR CONTROL

The City of Carson City Ordains:

SECTION I: No person shall knowingly give or furnish any alcoholic beverage to a minor except upon authority of and pursuant to a prescription of a duly licensed physician.

SECTION II: No person under the age of 21 years shall purchase or knowingly possess or transport any alcoholic liquor, or knowingly possess, transport, or have under his control in any motor vehicle any alcoholic liquor unless said person is employed by a state licensee and is possessing, transporting or having such alcoholic liquor in a motor vehicle under his control during regular working hours and in the course of his employment.


SECTION III: At any time within 30 days following the conviction of any such person for the violation of Section II, which conviction has become final, complaint may be made by the arresting officer or his superior before a justice of the peace of the court from which was issued the warrant, which complaint shall be under oath and shall contain a description of the motor vehicle in which such alcoholic liquor was possessed or transported by said minor in committing such offense and praying that said motor vehicle be impounded as provided in this section. Upon the filing of said complaint a justice of said court shall issue an order to the owner of such property to show cause, if any, why said motor vehicle shall not be impounded as provided herein. Such order to show cause shall have a date and time fixed therein for the hearing thereof, which date shall not be less than 10 days from its issuance and shall be served by delivering a true copy thereof to said owner at any time not less than 3 full days before the date of hearing or, if the owner cannot be located, by sending a true copy by certified mail to the last known address of said owner.

SECTION IV: If the Court determines upon the hearing of said order to show cause, from competent and revelant evidence, that at the time of the commission of said offense said motor vehicle was being driven by said minor with the express or implied consent or knowledge of said owner, and that the use of said motor vehicle is not needed by the owner in the direct pursuit of his employment or the actual operation of his business, the court shall authorize the impounding of said vehicle for a period to be determined by the court, of not less than 15 days nor more than 30 days. The Court's order authorizing the impounding of said vehicle shall authorize any peace officer to take possession without other process of said car wherever located and to store the same in a public or private g arage at the expense and risk of the owner of said vehicle. Appeal shall lie from such order to the circuit court of said county and the provisions governing the taking of appeals from judgments for damages shall be applicable thereto: Provided, That nothing herein shall prevent any bona fide lien holder from exercising any rights under such lien.

SECTION V: Any person who shall be convicted of a violation of any of the provisions of this Ordinance shall be punished by a fine of not more than \$100.00 or imprisonment for not more than 90 days or by both such fine and imprisonment.

SECTION VI: This Ordinance shall take effect and be in force from and after the 7th day of August, 1967.

Passed and approved by the City Council of the City of Carson City on the 18th day of July, 1967.

  
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Herschel Haradine  
Mayor

  
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Velma Tabor  
Comptroller