

Subchapter Four: Offenses**Section 181: Purchase From or Sale to Unauthorized Persons**

Within the Santa Ana Indian Reservation, no person shall purchase any alcoholic beverage at retail except from a person licensed by the Pueblo under the provisions of this title; no person except a person licensed by the Pueblo under the provisions of this title shall sell any alcoholic beverage at retail; nor shall any person sell any alcoholic beverage for resale to any person other than a person properly licensed by the Pueblo under the provisions of this title.

Section 182: Sale to Minors

A. No person shall sell or provide any alcoholic beverage to any person under the age of 21 years.

B. It shall be a defense to an alleged violation of this Section that the purchaser presented to the seller an apparently valid identification document showing the purchaser's age to be 21 years or older.

Section 183: Purchase by Minor

No person under the age of 21 years shall purchase, attempt to purchase or possess any alcoholic beverage.

Section 184: Sale to Person Under the Influence of Alcohol

No person shall sell any alcoholic beverage to a person who the seller has reason to believe is under the influence of alcohol or who the seller has reason to believe intends to provide such alcoholic beverage to a person under the influence of alcohol.

Section 185: Purchase by Person Under the Influence of Alcohol

No person under the influence of alcohol shall purchase any alcoholic beverage.

Section 186: Drinking in Public Places

No person shall consume any alcoholic beverage in any public place within the Santa Ana Indian Reservation except on premises licensed by the Pueblo for the sale of alcoholic beverages by the drink.

Section 187: Bringing Liquor Onto Licensed Premises

No person shall bring any alcoholic beverage for personal consumption onto any premises within the Santa Ana Indian Reservation where liquor is authorized to be sold by the drink, unless such beverage was purchased on such premises, or unless the possession or distribution of such beverages on such premises is otherwise licensed under the provisions of this liquor code.

Section 188: Open Containers Prohibited

No person shall have an open container of any alcoholic beverage in a public place, other than on premises licensed for the sale of alcoholic beverages by the drink, or in any automobile, whether moving or standing still. This Section shall not apply to empty containers such as aluminum cans or glass bottles collected for recycling.

Section 189: Use of False or Altered Identification

No person shall purchase or attempt to purchase any alcoholic beverage by the use of any false or altered identification document that falsely purports to show the individual to be 21 years of age or older.

Section 190: Penalties

A. Any person convicted of committing any violation of this Chapter shall be subject to punishment of up to one (1) year imprisonment or a fine not to exceed five thousand dollars (\$5,000.00), or to both such imprisonment and fine.

B. Any person not a member of the Pueblo, upon committing any violation of any provision of this Chapter, may be subject to a civil action for trespass, and upon having been determined by the court to have committed the alleged violation, shall be found to have trespassed upon the lands of the Pueblo, and shall be assessed such damages as the court deems appropriate in the circumstances.

C. Any person suspected of having violated any provision of this Chapter shall, in addition to any other penalty imposed hereunder, be required to surrender any alcoholic beverages in such person's possession to the officer making the arrest or issuing the complaint.

Section 191: Jurisdiction

Any and all actions, whether civil or criminal, pertaining to alleged violations of this title, or seeking any relief against the Pueblo or any officer or employee of the Pueblo with respect to any matter addressed by this Liquor Code, shall be brought in the Tribal Court of the Pueblo, which court shall have exclusive jurisdiction thereof.

Dated: July 31, 1996.
Ada E. Deer,
Assistant Secretary—Indian Affairs.
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Bureau of Land Management

[CA-067-00-1630-00]

Establishment of an Emergency Closure to the Discharge of Firearms for the O'Neal Valley Area Located on Public Lands in San Diego Co., CA

AGENCY: Bureau of Land Management, Interior.

ACTION: Establishment of emergency closure order.

SUMMARY: The primary purpose of this order is to close the public lands in the O'Neal Valley area to the discharge of firearms for the period of August 1, 1996 through August 31, 1996. The area affected are T 18S., R. 8E, SBM Sect 10, lot 9, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; and T 18S., R. 8E, SBM Sect 11, lot 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$. The following rule shall apply to this area:

No one shall discharge any firearm, bow and arrow or crossbow on public lands in the O'Neal Valley area of San Diego from August 1, 1996 to August 31, 1996. All dates are inclusive.

BACKGROUND: This area is heavily used by firearm's enthusiasts at all times of the week. There are areas with good backdrops for the safe discharge of firearms but there is also a large area of flat terrain with heavy brush and essentially no backdrops. During the affected time period, the National Guard will be constructing a fence in the south portion of the area, in the direction the firearms are usually discharged. For the safety of the soldiers working on the border fence project, this area must be closed to all shooting. The risk of a stray shot or an unsafe shooter or inattentive shooter must be avoided.

EFFECTIVE DATE: Effective August 7, 1996, and will remain in effect until August 31, 1996.

FOR FURTHER INFORMATION CONTACT:

Chief Area Ranger Robert Zimmer, Bureau of Land Management, El Centro Resource Area, 1661 S. 4th St., El Centro, CA 92243 (619) 337-4407.

SUPPLEMENTARY INFORMATION: The authority for this closure is provided in 43 CFR 8364.1(a). Violation of this closure is punishable by a fine not to exceed \$100,000.00 and/or imprisonment not to exceed 12 months.

Dated: July 31, 1996.
Thomas F. Zale,
Acting Area Manager.
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