

Social Host Ordinance Updates

City Council Community Safety Subcommittee

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Chris Pérez, Commander



CHANDLER
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Community of Innovation

Agenda



Introduction



Background / Current Ordinance



Review of Recent Incidents



Proposed Changes



Next Steps



Questions

Introduction



Kelly Y. Schwab, City Attorney



Chris Pérez, Commander

Current Ordinance

- **Approved by City Council:**
 - 2015
- **Social Hosting Definition:**
 - Unlawful Minor Party / Gathering
- **Prohibits:**
 - Hosting a party of minors where liquor is served
- **Civil Violation:**
 - Host is held responsible
 - Civil fines
 - \$250 for first offense
 - \$1,000 for second offense
 - \$1,500 for third and subsequent offense



Review of Incidents

11-16.2. - *Providing a location for a minor party/gathering. It is unlawful for the responsible person to provide a location for, or to permit, authorize, sponsor or allow, a minor party/gathering at private property under the responsible person's ownership, possession or control.*

- Seven (7) citations issued using the ordinance in the past three years
 - Four (4) issued to juveniles
 - Three (3) issued to adults
- Two (2) of the parties had 50+ juveniles in attendance
- None of the parties involved weapons
- Additional citations for furnishing liquor to a minor, contributing to a criminal nuisance, disturbing the peace and disorderly conduct





Other Municipalities

Scottsdale: Nuisance Parties and Unlawful Gatherings (12/8/2021)

- Owner responsible for permitting a nuisance party or unlawful gathering
- Civil Penalties
 - \$250 - \$2,000
 - After notice, \$750 - \$2,500
- Penalties may be reduced if owner installs noise mitigation software or cameras, attends best practices on rentals, and posts conduct rules

Tempe: Nuisance Parties and Unlawful Gatherings (6/3/2013)

- Holds owner, tenant, guests responsible for holding or attending a nuisance party or unlawful gathering
- Escalating police service fee assessed

Glendale: Nuisance Parties and Unlawful Gatherings (1/10/2023)

- Very similar to Tempe

Goodyear: Unruly Gathering (11/7/2022)

- Holds owner, tenant, guests responsible for holding or attending a nuisance party or unlawful gathering
- Civil Penalties (\$1,000 - \$2,500)
- Posting of notice required



Other Municipalities

Flagstaff Nuisance Parties (5/19/2015)

- Holds owner, tenant, guests responsible for holding or attending a nuisance party
- Civil penalties \$250 - \$1,000

Tucson Unruly Gatherings (3/21/2017)

- Posting of premises required each time an unruly gathering occurs
- Holds owner, tenant, guests responsible for holding or attending a nuisance party
- Civil Penalties
 - \$500 - \$750
 - Subsequent violations \$1,000 - \$1,500 plus police fees

Prescott Valley Underage Drinking, Nuisance Parties (2/22/2018)

- Holds owner, tenant, guests responsible for holding or attending a nuisance party
- Civil Penalties
 - \$100 - \$1,500
 - Posting of property upon third and subsequent police responses

Proposed Changes

- **Retitled to Unruly Gathering Ordinance.**
- **Unlawful to permit unruly gatherings.**
 - Gathering of persons on any private or public property, including property used to conduct business, which constitutes a threat to the public peace, health, safety or general welfare.
- **Examples:**
 - Impeding traffic, obstruction of streets by crowds or vehicles, use or possession of illegal drugs, drinking alcohol in public areas, the service of alcohol to minors or consumption of alcohol by minors, fighting, disturbing the peace, and/or littering.



Proposed Changes

- **Holds property owner responsible.**
 - Unlawful for a responsible person to intentionally, knowingly, or recklessly permit an unruly gathering.
 - May be charged with a class one misdemeanor
- **Civil and Criminal Penalties**
 - Civil up to \$2,500
 - Criminal up to 180 days jail, 3 years probation, \$2,500 fine
- **Authorizes Chandler Police to abate.**
 - Citation or arrest of violators
 - Disperse gathering
- **Provides additional enforcement tools.**
 - Habitual offender penalties





Next Steps

- **Full City Council Consideration - April 2024**
- **Ordinance Implementation – May-June 2024**
- **Training & Education for Law Enforcement and Community Partners (Continuous)**
- **Monitoring and Evaluation Framework (Continuous)**

Questions?

