

# Social Host Ordinance Updates Regulation of Brass Knuckles

City Council Work Session  
April 4, 2024

Presented By:  
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Chris Pérez, Commander

# Agenda



Social Hosting Background /  
Current Ordinance



Review of Recent Incidents



Proposed Changes



Brass Knuckles Proposed Ordinance



Next Steps



Questions

# Social Hosting-- 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

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## **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

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## 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

# Social Hosting-- Proposed Changes

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- **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.



# Social Hosting-- Proposed Changes

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- **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—criminal after the first offense within 18 months.





# Regulation of Brass Knuckles

- **Arizona is one of 12 states where brass knuckles are legal.**
- **Phoenix**
  - Unlawful to sell, give away or to possess for the purpose of sale or giving away.
  - Unlawful for any person, except a police officer, to carry brass knuckles concealed (criminal).
- **Yuma**
  - Unlawful for any person to sell, give away, or to possess for the purpose of sale or giving away except for resale to a law enforcement officer or licensed security guard (criminal).



# Review of Incidents

- 55 cases reviewed where brass knuckles were listed in criminal and non-criminal investigations between January 2021- March 2024.
- 4 cases contain juveniles and brass knuckles.
- No pattern of use in criminal activity evident.



# Brass Knuckles Proposed Code Changes

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- **Prohibiting the sale to, or the supply of and possession of brass knuckles by minors.**
- **Possible Penalties**
  - Civil up to \$2,500 fine.
  - Criminal up to 180 days jail, 3 years probation, \$2,500 fine.





# 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?

