



City Council Work Session

Thursday, April 4, 2024
4:00 p.m.
Immediately following the
Special Meeting / Executive Session

Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Work Session



Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, notice is hereby given to the members of the Chandler City Council and to the general public that the Chandler City Council will hold a WORK SESSION open to the public on Thursday, April 4, 2024, immediately following the Special Meeting / Executive Session that begins at 4 p.m. in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona. One or more members of the Chandler City Council may attend this meeting by telephone.

Persons with disabilities may request a reasonable modification or communication aids and services by contacting the City Clerk's office at 480-782-2181 (711 via AZRS). Please make requests in advance as it affords the City time to accommodate the request.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.

Agenda

Call to Order

Discussion

- Discussion of Proposed Amendments to Chapter 11 of the Chandler Municipal Code Relating to Providing a Location for An Unlawful Minor Party Gathering/Prohibited to Provide Additional Enforcement Tools for Unruly Gatherings and Regulation of Brass Knuckles**

Adjourn



City Council Memorandum Law Memo No. N/A

Date: April 04, 2024
To: Mayor and Council
From: Kelly Schwab, City Attorney
Subject: Discussion of Proposed Amendments to Chapter 11 of the Chandler Municipal Code Relating to Providing a Location for An Unlawful Minor Party Gathering/Prohibited to Provide Additional Enforcement Tools for Unruly Gatherings and Regulation of Brass Knuckles

Attachments

Social Host Ordinance Regulation of Brass Knuckles Presentation

Social Host Ordinance Updates Regulation of Brass Knuckles

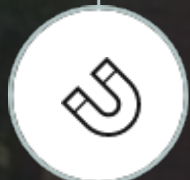
City Council Work Session
April 4, 2024

Presented By:
Kelly Y. Schwab, City Attorney
Chris Pérez, Commander

Agenda



Social Hosting Background /
Current Ordinance



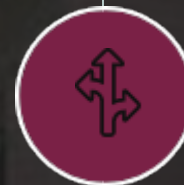
Review of Recent Incidents



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

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

Social Hosting-- 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.



Social Hosting-- 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—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

- **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?

