

A How-To Guide to Implementing a Social Host Ordinance in your Community

Workbook provided by:



grand futures
prevention coalition

Workbook funded by:



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Social Host Ordinance Community Checklist

- ☐ Is there a clearly identified problem with underage drinking parties in your community?
- ☐ Does law enforcement recognize this problem?
- ☐ Do you have data to support this problem?
 - High rate of: Binge Drinking, 30-day Use, Lifetime Use, Ease of obtaining alcohol
 - Increased rates of DUI (youth)
 - Increased rates of MIPs
 - Compliance Check data
 - Diversion statistics—percentage of alcohol-related cases (this includes assaults, etc.)
 - Community Readiness data
 - Law enforcement source data
 - Other local survey data related to access to alcohol
 - Should you conduct evaluation/data gathering around this?
- ☐ Do you have a community coalition with all necessary players at the table?
 - Law Enforcement, Youth Serving Organizations (YSO), Schools (K-12 and College), Local Government, Prevention Organizations, Public Health Organizations, Mental Health Organizations, etc.
- ☐ Should you run a media campaign to educate community about the problem?
 - Letters to the Editor
 - Opinion Editorials (Op-Eds)
 - Paid Media Ads
 - Facebook campaign
 - Others
- ☐ Does your community recognize the problem?
 - Should you do a community readiness survey/key informant interviews?
- ☐ Have you reviewed your budget for Social Host Ordinance (SHO) work?
 - Media/Marketing
 - Education Materials
 - Personnel costs
 - Travel Costs
 - General Meeting expenses
- ☐ Have you met with key stakeholders in your community? (Helpful in laying ground work for and opens discussion for drafting a SHO in your community.)
 - Law Enforcement
 - Local Government/Council Members individually
 - Schools/Colleges
 - Other key stakeholders

Social Host Ordinance Community Checklist

- ☐ Have you scheduled a mini-education for these key supporters?
 - Collaborative partners
 - For City Council/town government officials
- ☐ Is your community ready to enforce a SHO?
 - Have you reviewed logistics of actual ordinance?
 - Fee Scales
 - Community Service
 - ATOD Education Classes
 - Enforcement details (memorandums, educate law enforcement about implementation and logistics)
 - Evaluation plan
 - Timing of it becoming a law, are you ready for it?
- ☐ Do you have a drafted ordinance to present?
- ☐ Have you scheduled a SHO on City Council agenda?
- ☐ Have you completed all mandatory City Council/Town Board communication forms?
- ☐ Are you planning to continue media efforts?
- ☐ Do you have a plan developed for mobilization of key supporters for SHO?
- ☐ Are you prepared for City Council/Town Board meetings and presentations?
- ☐ Do you have staff and community support for attendance at City Council/Town Board meetings and presentations?
 - Re-assess following City Council meeting, if needed
- ☐ Do you have a plan together for thanking your key supporters?
 - Thank You Cards
 - Media Ads
- ☐ Is law enforcement ready to enforce the ordinance?
 - Training documents
 - Do they need any assistance?
- ☐ Do you have an evaluation plan in place?
 - Do you have baseline data gathered?
 - Do you have logic model/evaluation tools in place?

CITY OF STEAMBOAT SPRINGS, COLORADO

ORDINANCE NO. 2241

SOCIAL HOST ORDINANCE - AN ORDINANCE REQUIRING PERSONS OWNING, LEASING, OR OTHERWISE CONTROLLING PRIVATE PROPERTY TO PREVENT THE USE OF THE PROPERTY BY UNDERAGE PERSONS POSSESSING OR CONSUMING ALCOHOLIC BEVERAGES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds that the consumption of alcohol by underage persons is a significant and ongoing problem in the community which current regulations address by prohibiting the sale or distribution of alcoholic beverages to underage persons and the possession or consumption of alcoholic beverages by underage persons; and

WHEREAS, current regulations do not expressly impose any duty upon the owner, renter, lessee, or any other person in control of private property, as defined herein, to prevent the use of such property by underage persons possessing or consuming alcoholic beverages; and

WHEREAS, law enforcement agencies are generally unable to detect or prevent the possession or consumption of alcoholic beverages by underage persons on private property, as defined herein, before said consumption leads to behavior that poses a threat to the public health, safety and welfare, to wit: excessive noise, driving while intoxicated or under the influence, physical altercations, violent crimes including rape and other sexual offenses, accidental injury, vandalism, and disturbances, all of which often require a response from law enforcement; and

WHEREAS, the City Council finds that the threat posed to the public health, safety and welfare by underage persons possessing and consuming alcohol on private property, as defined herein, requires owners of or persons in control of private property to ensure that they do not knowingly permit underage persons to use the private property for the purpose of possessing or consuming alcoholic beverages.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:

Section 1. Chapter 10, Article VI of the Steamboat Springs Revised Municipal Code is hereby revised by the addition of the following (Section 10-206):

"Section 10-206. Knowingly providing private property to underage persons possessing or consuming alcoholic beverages is unlawful."

(a) DEFINITIONS.

- (1) Alcoholic Beverage:** Shall have the same meaning as "alcohol beverage" per C.R.S. 12-47-103(2).
- (2) Person:** Is any individual, partnership, co-partnership, corporation, or any association of one or more individuals. A person does not include any city, county, or state agency.
- (3) Private Property:** means any privately owned real property that is not open to the public.
- (4) Trespass:** The entry onto the private property of another without permission from the owner, occupant, or other person legally, or otherwise, entitled to possession of the private property.

(b) MISCELLANEOUS. All words herein in the singular number shall extend to and include the plural number. All words used herein in the plural number shall extend to and include the singular number. All words used in any gender, male, female or neuter shall extend to and include all genders as may be applicable in any particular context.

(c) PROHIBITION. No person who owns, rents, leases or controls private property shall knowingly allow an underage person to possess or consume any alcoholic beverage anywhere on the private property under his control. The terms "rent" and "lease" as used in this section apply to persons entitled to occupy or possess the private property per the rental/lease agreement and do not apply to management companies or other agents managing rental properties.

(d) TRESPASS. The provisions of this ordinance shall not apply to the possession or consumption of alcoholic beverages by an underage person or persons trespassing on the private property. A person or persons shall not be considered trespassers if they are in the company of any person who is an owner, occupant of, or other person legally or otherwise entitled to be present on the private property.

(e) SEPARATE VIOLATIONS FOR EACH INCIDENT. Each incident in violation of this ordinance shall constitute a separate offense.

(f) ENFORCEMENT AUTHORITY. All City of Steamboat Springs Police Services Officers are authorized to administer and enforce the provisions of this ordinance.

(g) PENALTIES FOR VIOLATION. Any person over eighteen years of age who is found guilty or pleads guilty or nolo contendere in Steamboat Springs Municipal Court to violating this Social Host Ordinance (the "offender") shall be punished by a fine of not less than \$500.00 for the First Offense, not less than \$750.00 for the Second Offense, and not less than \$999.00 for the Third Offense. Additionally, the offender shall be required to perform not than less twenty-four (24) hours of community service, shall be required to complete an alcohol education program paid for by the offender and, in the discretion of the Municipal Court Judge, the offender may be sentenced to a term in the Routt County jail per the terms of Section 1-15 of this Code. No portion of the fines shall be deferred and all required community service must be completed during hours when the offender is not employed and/or attending school.

Any person under eighteen (18) years of age who violates the provisions of this ordinance shall be subjected to penalties prescribed by the Steamboat Springs Municipal Court Judge, as contained herein, except that the Municipal Court Judge shall not impose any sentence of incarceration for the violation of this Ordinance by a person who was under the age of eighteen (18) years at the time of the violation.

(h) EXCEPTION—PARENTAL SUPERVISION. This section shall not apply to conduct involving the use or possession of alcoholic beverages by an underage person authorized by C.R.S. 18-13-122(3)(a) and (7).

(i) EXCEPTION—PERSONS SEEKING MEDICAL ASSISTANCE.

A person or and one or two other persons who violate the provisions of this ordinance shall be immune from criminal prosecution hereunder if they establish the following:

- (a) One of the persons called 911 and reported that an underage person was in need of medical assistance due to alcohol consumption;
- (b) The person who called 911 and, if applicable, one or two

other persons acting in concert with the person who called 911 provided each of their names to the 911 operator;
(c) The person was the first person to make the 911 report; and
(d) The person and, if applicable, one or two other persons acting in concert with the person who made the 911 call remained on the scene with the underage person in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene."

Section 2. All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 3. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect, and shall be in no way affected, impaired, voided, or invalidated.


Section 4. The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

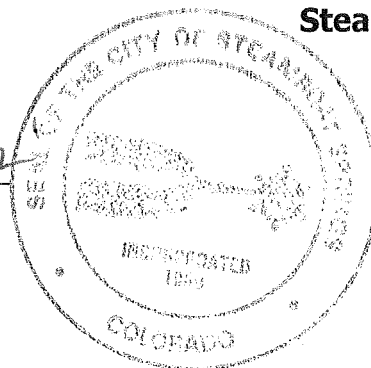
Section 5. This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6(h) of the Steamboat Springs Home Rule Charter.

INTRODUCED, READ AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the 21st day of April, 2009.


Paul Antonucci, President
Steamboat Springs City Council

ATTEST:



Julie Franklin, CMC
City Clerk

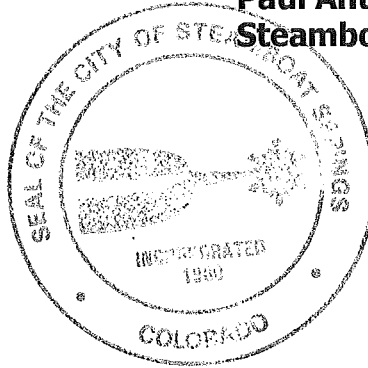


FINALLY READ, PASSED AND APPROVED this 5th day of
May, 2009.


Paul Antonucci, President
Steamboat Springs City Council

ATTEST:


Julie Franklin, CMC
City Clerk



CITY OF CRAIG, COLORADO

ORDINANCE NO. 994

SOCIAL HOST ORDINANCE - AN ORDINANCE REQUIRING PERSONS OWNING, LEASING, OR OTHERWISE CONTROLLING PRIVATE PROPERTY TO PREVENT THE USE OF THE PROPERTY BY UNDERAGE PERSONS POSSESSING OR CONSUMING ALCOHOLIC BEVERAGES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds that the consumption of alcohol by underage persons is a significant and ongoing problem in the community which current regulations address by prohibiting the sale or distribution of alcoholic beverages to underage persons and the possession or consumption of alcoholic beverages by underage persons; and

WHEREAS, current regulations do not expressly impose any duty upon the owner, renter, lessee, or any other person in control of private property, as defined herein, to prevent the use of such property by underage persons possessing or consuming alcoholic beverages; and

WHEREAS, law enforcement agencies are generally unable to detect or prevent the possession or consumption of alcoholic beverages by underage persons on private property, as defined herein, before said consumption leads to behavior that poses a threat to the public health, safety and welfare, to wit: excessive noise, driving while intoxicated or under the influence, physical altercations, violent crimes including rape and other sexual offenses, accidental injury, vandalism, and disturbances, all of which often require a response from law enforcement; and

WHEREAS, the City Council finds that the threat posed to the public health, safety and welfare by underage persons possessing and consuming alcohol on private property, as defined herein, requires owners of or persons in control of private property to ensure that they do not knowingly permit underage persons to use the private property for the purpose of possessing or consuming alcoholic beverages.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO:

Section 1. Chapter 9.62 of the Craig Municipal Code (Sale or Dispensing Liquor) is hereby amended by the addition of the following (Section 9.62.020):

"Section 9.62.020." Knowingly providing private property to underage persons possessing or consuming alcoholic beverages is unlawful."

(a) DEFINITIONS.

- (1) Alcoholic Beverage:** Shall have the same meaning as "alcohol beverage" per C.R.S. 12-47-103(2).
- (2) Person:** Is any individual, partnership, co-partnership, corporation, or any association of one or more individuals. A person does not include any city, county, or state agency.
- (3) Private Property:** means any privately owned real property that is not open to the public.
- (4) Trespass:** The entry onto the private property of another without permission from the owner, occupant, or other person legally, or otherwise, entitled to possession of the private property.

(b) MISCELLANEOUS. All words herein in the singular number shall extend to and include the plural number. All words used herein in the plural number shall extend to and include the singular number. All words used in any gender, male, female or neuter shall extend to and include all genders as may be applicable in any particular context.

(c) PROHIBITION. No person who owns, rents, leases or controls private property shall knowingly allow an underage person to possess or consume any alcoholic beverage anywhere on the private property under his control. The terms "rent" and "lease" as used in this section apply to persons entitled to occupy or possess the private property per the rental/lease agreement and do not apply to management companies or other agents managing rental properties.

(d) TRESPASS. The provisions of this ordinance shall not apply to the possession or consumption of alcoholic beverages by an underage person or persons trespassing on the private property. A person or persons shall not be considered trespassers if they are in the company of any person who is an owner, occupant of, or other person legally or otherwise entitled to be present on the private property.

(e) SEPARATE VIOLATIONS FOR EACH INCIDENT. Each incident in violation of this ordinance shall constitute a separate offense.

(f) ENFORCEMENT AUTHORITY. All City of Craig Police Officers are authorized to administer and enforce the provisions of this ordinance.

(g) PENALTIES FOR VIOLATION. Any person who is eighteen years of age or older who is found guilty or pleads guilty or no contest in the Craig Municipal Court to violating this Social Host Ordinance (the "offender") shall be punished by a fine of not less than \$500.00 for the First Offense, not less than \$750.00 for the Second Offense, and not less than \$999.00 for the Third Offense. Additionally, the offender shall be required to perform not less than twenty-four (24) hours of community service, shall be required to complete an alcohol education program paid for by the offender and, in the discretion of the Municipal Court Judge, the offender may be sentenced to a term in the Moffat County jail per the terms of the Craig Municipal Code. No portion of the fines shall be deferred and all required community service must be completed during hours when the offender is not employed and/or attending school.

Any person under eighteen (18) years of age who violates the provisions of this ordinance shall be subjected to penalties prescribed by the Craig Municipal Court Judge, as contained herein, except that the Municipal Court Judge shall not impose any sentence of incarceration for the violation of this Ordinance by a person who was under the age of eighteen (18) years at the time of the violation.

(h) EXCEPTION—PARENTAL SUPERVISION. This section shall not apply to conduct involving the use or possession of alcoholic beverages by an underage person authorized by C.R.S. 18-13-122(3)(a) and (7).

(i) EXCEPTION—PERSONS SEEKING MEDICAL ASSISTANCE.

A person who violates the provisions of this ordinance shall be immune from criminal prosecution hereunder if they establish the following:

- (a) The person called or participated with others in calling 911 and reported that an underage person was in need of medical assistance due to alcohol consumption;
- (b) The person who called 911 and, if applicable, other persons

acting in concert with the person who called 911, provided each of their names to the 911 operator; and
(c) The person(s) remained on the scene with the underage person in need of medical assistance until assistance arrived and cooperated with medical assistance and law enforcement personnel on the scene."

Section 2. All ordinances heretofore passed and adopted by the City Council of the City of Craig, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith.

Section 3. If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect, and shall be in no way affected, impaired, voided, or invalidated.

Section 4. The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 5. This Ordinance shall take effect immediately upon the expiration of ten (10) days from and after its publication following final passage, as provided in Article 2, Section 14 of the City of Craig Home Rule Charter.

INTRODUCED, READ AND ORDERED PUBLISHED, as provided by law, by the City Council of the City of Craig at its regular meeting held on the 22nd day of September, 2009.

ATTEST:

Shirley M. Seely
Shirley M. Seely, City Clerk

Don Jones
Don Jones, Mayor

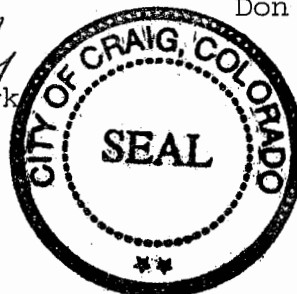


READ, APPROVED AND ORDERED PUBLISHED ON FIRST READING THIS 13th DAY OF October, 2009 BY THE CITY COUNCIL OF THE CITY OF CRAIG, COLORADO.

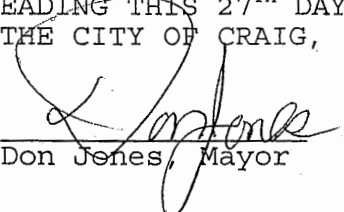
ATTEST:

Shirley M. Seely
Shirley M. Seely, City Clerk

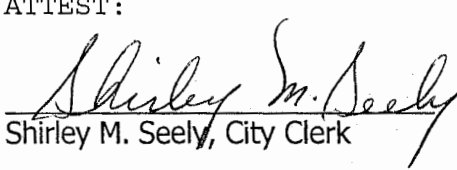
Don Jones
Don Jones, Mayor



PASSED, APPROVED AND ADOPTED ON SECOND READING THIS 27TH DAY
OF OCTOBER, 2009 BY THE CITY COUNCIL OF THE CITY OF CRAIG,
COLORADO.


Don Jones, Mayor

ATTEST:


Shirley M. Seely, City Clerk



ORDINANCE NO. 2

SERIES 2011

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 6 OF THE
CRESTED BUTTE MUNICIPAL CODE TO ADD A NEW SECTION
10-7-90 MAKING IT UNLAWFUL FOR ANY PERSON TO
KNOWINGLY ALLOW UNDERAGE PERSONS TO POSSESS OR
CONSUME ETHYL ALCOHOL ON PRIVATE PROPERTY**

WHEREAS, the Town of Crested Butte, Colorado ("**Town**") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and the laws of the State of Colorado;

WHEREAS, Section 10-7-30 of the Crested Butte Municipal Code ("**Code**") makes it unlawful for any underage person to consume or possess ethyl alcohol;

WHEREAS, the Town Council finds, however, that despite such requirements in the Code, the consumption of ethyl alcohol by underage persons is an ongoing problem in the community;

WHEREAS, the Town Council finds further that despite such requirements, current efforts to regulate underage consumption of ethyl alcohol are directed at the point of sale;

WHEREAS, the Town Council finds that the Town's requirements do not place the responsibility on the persons in possession and control of private property to prevent the unlawful use of ethyl alcohol by underage individuals legally on said property;

WHEREAS, the Town Council finds that law enforcement agencies are generally unable to detect and prevent the possession and consumption of ethyl alcohol by underage persons on private property before such consumption leads to behavior that poses a threat to the public health, safety and welfare, including, without limitation, excessive noise, physical altercations, vandalism and disturbing the peace; and

WHEREAS, for the foregoing reasons, the Town Council finds that the below amendments to the Code are in the best interest of the general health, safety and welfare of the residents and visitors of Crested Butte.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
THE TOWN OF CRESTED BUTTE, COLORADO, THAT:**

Section 1. Adding a New Section 10-7-90 to the Code. A new Section 10-7-90 is added to the Code and shall read as follows:

"Section 10-7-90. Knowingly allowing underage persons to possess or consume ethyl alcohol on private property.

(a) No person who is in possession and control of private property shall knowingly allow any person under twenty-one (21) years of age to possess or consume ethyl alcohol anywhere on the private property in their possession and control.

(b) No person in possession and control of private property shall knowingly host, permit or allow persons under 21 years of age to gather at said property where ethyl alcohol is available without making reasonable efforts to ensure that all persons under 21 years of age do not possess ethyl alcohol or consume ethyl alcohol. "Reasonable efforts" shall include, but are not limited to, limiting the amount of ethyl alcohol available, limiting the size of the gathering, restricting access to ethyl alcohol by persons under 21 years of age and obtaining a valid government issued identification confirming each person's age.

(c) It shall be an affirmative defense to this Section if ethyl alcohol is possessed or consumed in accordance with Section 10-7-30(b).

(d) Knowingly allowing underage persons to possess or consume ethyl alcohol on private property shall be a misdemeanor, and upon conviction, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00).

(e) A surcharge in the sum of ten dollars (\$10.00) is hereby levied upon each criminal action resulting in a conviction or in a deferred judgment and sentence."

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as amended hereby, the Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the effective date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 18th
DAY OF JANUARY, 2011.

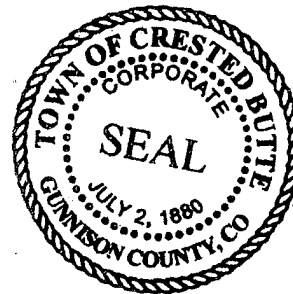
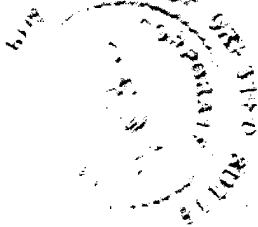
ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN
PUBLIC HEARING THIS 7th DAY OF February, 2011.

TOWN OF CRESTED BUTTE, COLORADO

By: Leah B. Williams
Leah B. Williams, Mayor

ATTEST:

Eileen Hughes
Eileen Hughes, Town Clerk



ORDINANCE NO. _____

SERIES 2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING CHAPTER 5.10, GENERAL OFFENSES, OF THE CITY OF GUNNISON MUNICIPAL CODE, BY THE ADDITION OF A PROHIBITION OF KNOWINGLY PERMITTING UNDERAGE POSSESSION OR CONSUMPTION OF ETHYL ALCOHOL ON PRIVATE PROPERTY IN A PERSON'S POSSESSION AND CONTROL.

WHEREAS, the City Council finds that the consumption of ethyl alcohol by underage persons is an ongoing problem in the community; and

WHEREAS, current efforts to regulate underage consumption of ethyl alcohol are directed at the point of sale and public possession/consumption ordinances; and

WHEREAS, current ordinances do not place the responsibility on the person in possession and control of private property to prevent the unlawful use of ethyl alcohol by underage individuals legally on said property; and

WHEREAS, law enforcement agencies are generally unable to detect or prevent the possession or consumption of ethyl alcohol by underage persons on private property before such consumption leads to behavior that poses a threat to the public health, safety, and welfare, to wit: excessive noise, driving under the influence, physical altercations, violent crimes including sexual assault, accidental injuries, vandalism, and disturbing the peace;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. The City of Gunnison Municipal Code, Chapter 5.10, General Offenses, is hereby amended to add the following section 5.10.241:

5.10.241. Knowingly allowing underage persons to possess or consume ethyl alcohol on private property.

- A. No person who is in possession and control of private property shall knowingly allow any persons under twenty-one years of age to possess or consume any ethyl alcohol anywhere on the private property in their possession and control.
- B. No person in possession and control of private property shall knowingly host, permit, or allow persons under twenty-one years of age to gather at said property, where ethyl alcohol is available, without making reasonable efforts to ensure that persons under twenty-one years of age do not consume ethyl alcohol, and ethyl alcohol is consumed by one or more persons under twenty-one years of age.
 - 1. Reasonable efforts include, but are not limited to, limiting the amount of ethyl alcohol available, limiting the size of the gathering, restricting access to ethyl alcohol by persons under twenty-one years of age, and obtaining valid state identification documents confirming a person's age.
- C. It shall be an affirmative defense to this section if the ethyl alcohol was possessed or consumed in accordance with GMC 5.10.230 B.
- D. Knowingly allowing underage persons to possess or consume ethyl alcohol on private property is a misdemeanor.

Section 2. Section 5.10.300 A, Surcharges Levied on Certain Offenses, is amended to read as follows:

5.10.300. Surcharges Levied on Certain Offenses.

- A. A surcharge in the sum of \$50.00 is hereby levied upon each criminal action resulting in a conviction or in a deferred judgment and sentence of the following sections of this code: GMC 5.10.080, 5.10.090, 5.10.220, 5.10.230, 5.10.240, and 5.10.241. The surcharge shall be paid to the municipal court clerk by the defendant in such action, who shall transmit the sums collected to Safe Ride of Gunnison County, Inc.

Ordinance No. _____
Series 2010
Page Two

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this _____ day of _____,
2010, on first reading, and introduced, read, and adopted on second and final reading this _____ day of
_____, 2010.

Mayor

(SEAL)

ATTEST:

City Clerk

Published in full in the
Gunnison Country Times Newspaper

21 Social Hosting Impacts

2009

Quantitative and qualitative data surround the implementation and evaluation of Social Hosting Ordinances throughout the United States.

A look at the effects
of social hosting
ordinances



grand futures
prevention coalition

1. Results of similar policies in other California counties like San Diego and Ventura show that Social Host Ordinances do work. In Rohnert Park, for example, there was a 12.5 percent reduction in house party calls for service within just a year of implementation.¹
2. Edmond police spokeswoman Glynda Chu said police made 71 social-host arrests in the ordinance's first year and the number has dropped since then, "which is a clear indication to us that it is working."²
3. In Ojai, in particular, the city's Chief of Police (and his deputies) report that following the adoption of the SHO in Ojai in January 2006, the number of service calls for party disturbance where underage youth are drinking have decreased.³
4. In addition, Ojai reports a decrease in MIP violations since December 2006.⁴
5. Captain Pentis of the Ventura County Sheriff's Department believes that the adoption of SHO county-wide has lead to reductions in incidents of other alcohol-related, violent crimes, including sexual assaults.⁵
6. Receiving special note in Dunn's report was the effectiveness of the city's so-called Social Host Ordinance.

That three-year-old ordinance carries a fine of \$1,000 for anyone who allows underage drinking at a residence. So far, 11 city residents and 25 residents of the rest of the valley have been fined, the police chief said.

But, in 2008, just one city resident was cited for hosting a party at which underage children were served alcohol, while eight residents in unincorporated areas were cited last year.

Deputies and state investigators also cited seven local businesses for selling alcohol to minors.

¹ See http://www.dailycal.org:8080/article/23030/two_sides_of_city_s_alcohol_policy_bill

² See <http://newsok.com/social-host-laws-making-an-impact/article/3342283>

³ Donovan, et al, Figure 1 "Age of Persons Cited for SHO Violations," page 9.

⁴ Donovan, et al, page 15.

⁵ Captain Randy Pentis, Ventura County Sheriff Department, and former Fillmore Chief of Police, can be contacted by City Council members at (805) 494-8248 or randy.pentis@ventura.org.

"It is my opinion that the Social Host Ordinance and alcohol sales operations have been and will continue to be successful in combating underage drinking," Dunn reported to the council.⁶

7. Research also states that social host liability laws are among the most effective forms of public policy to reduce binge drinking and driving, thereby saving taxpayers money from repeated disturbance calls to police, reduced emergency medical responses to underage drinking parties, reduced injuries and violence, and increased peace within our neighborhoods and protection to private property.⁷
8. Supplementary studies further attribute social host liability laws with decreased alcohol-related traffic fatalities among adults, as well as decreases in self-reported heavy drinking and drinking and driving.⁸
9. To curtail underage drinking, the Social Host Responsibility and Liability Ordinance was passed by the Ventura County Board of Supervisors in April 2006.

Camarillo began enforcing the ordinance in July 2006. Since August of last year, every city in the county has utilized the ordinance to discourage parties that may involve teenagers and alcohol.⁹

10. Thus far, more than fifteen civil citations have been issued and paid in Ventura County for a 100% success rate¹⁰

11. Carver County Attorney Jim Keeler "The fact that in the city of Chaska this ordinance violation is on the books, and there has been an increase in public awareness of the problem, I think helps law enforcement and prosecutors in combating teenage drinking," Keeler said. "People know

⁶ "Ojai Crime Drops 28 Percent at Ojai Valley News Blog,"

⁷ See "Fact Sheet: San Diego Survey on Social Host Laws," Institute for Public Strategies, August 2003, www.publicstrategies.org, citing Stout, Sloan, Liang & Davis, 2000, Journal of Studies on Alcohol; Dan Hicks, "Youth Drinking Laws Save Lives, and Money: Holding party hosts responsible makes parties—and communities—safer," www.venturacountylimits.org.

⁸ Joel Grube, "Alcohol Regulation and Traffic Safety: An Overview," November 2007, Transportation Research Circular, Number E- C123, Traffic Safety and Alcohol Regulation, A Symposium, June 5-6, 2006, Irvine, California, Transportation Research Board of the National Academies, www.TRB.org;

⁹ See http://www.thecamarilloacorn.com/news/2008-06-06/front_page/002.html

¹⁰ See ci.manhattan-beach.ca.us/.../Ag-Min20061108/20061108-23.pdf

they can be held liable for knowingly providing a place where juveniles can consume alcohol illegally.”¹¹

12. Carver County- Of the adults charged, only three were charged solely with violating a social host ordinance. Typically, they also faced charges of providing alcohol to a minor, or other alcohol/drug-related charges. (See adjoining chart.)¹²

13. Joel Rae on Steamboat Springs Social Hosting Ordinance- said that at a party Sept. 16, officers issued nine citations for minor in possession of alcohol. After an investigation, a person was charged with procurement of alcohol for underage persons, the Class 2 misdemeanor. “If we had not been able to establish probable cause for who was providing alcohol for the kids, and we were at a dead end in that investigation,” the police would have used the social host ordinance, he said.¹³

14. Petaluma Police Department who adopted a Social Hosting Ordinance in 2006

Arrests for furnishing alcohol to minors have dropped from 29 in 2006 to 20 in 2007 to 14 in 2008

Arrests made of minors in possession of alcohol dropped only slightly during the previous three years — from 91 in 2006 to 88 in 2007 to 86 in 2008 — but only 32 arrests have been made this year.¹⁴

15. Lt. Mike Cook of the Petaluma Police Department feels that the ordinance has been effective in addressing underage drinking.

“Absolutely. It gives officers a new tool to address problems, and has been a very good deterrent,” he said. “The teen population is very well aware of this ordinance, based on some of the statements that teens have made to us.”¹⁵

¹¹ Carver County Attorney Jim Keeler <http://mobile.chaskaherald.com/news/police/last-call-many-underage-parties-cities-adopting-social-host-ordinance-rapid-speed-5695>

¹² Carver County Attorney Jim Keeler <http://mobile.chaskaherald.com/news/police/last-call-many-underage-parties-cities-adopting-social-host-ordinance-rapid-speed-5695>

¹³ http://www.steamboatpilot.com/news/2009/oct/04/police_have_not_cited_anyone_alcohol_offense/

¹⁴ See <http://www.petaluma360.com/article/20090618/COMMUNITY/906179930/1362?Title=Curbing-teen-drinking-a-challenge>

¹⁵ See <http://www.petaluma360.com/article/20090618/COMMUNITY/906179930/1362?Title=Curbing-teen-drinking-a-challenge>

16. Social host liability laws have research evidence showing they are effective. In one analysis of all 50 states, social host laws were associated with reductions in heavy drinking as well as drinking and driving¹⁶
17. CHKS (California Healthy Kids Survey) data for Thousand Oaks students demonstrated decreases in ease of obtaining alcohol since the implementation of the ordinance - 59% of 9th graders and 78% of 11 graders reported that alcohol is fairly or very easy to obtain in Fall 2007, as compared to 65% and 84% of 9th and 11th graders before the ordinance was passed.¹⁷
18. Number of Alcohol-Related Emergency Room Visits for Residents of Camarillo 6 prior to implementation of SHO. (SHO was adopted in 2006) That number dropped to 5 in 2006 and 2007. That number dropped in 2008 to 3 and fell again in 2009 to 2.¹⁸
19. The Camarillo survey respondents were asked their opinions regarding the effectiveness of the SHO as a tool for reducing underage drinking parties. Most of the respondents (80%) agreed that the ordinance is an effective tool; only 20% said they believe it is not effective.¹⁹
20. Ventura Unified Students Who Reported Ever Having Driven a Car after Drinking, or Been in a Car Driven by Someone Who Had Been Drinking in 2006 the year of the SHO adoption 29% of ninth graders and 38% of eleventh graders those areas saw 4% decrease by 2008.²⁰
21. The Camarillo survey respondents when asked if there have been any negative impacts in their jurisdiction as a result of the SHO, 100% of those who responded to this item said “no” or that they did not know of any. One respondent added, “I believe the community supports the Social Host Ordinance and wants law enforcement to enforce it.”²¹

¹⁶ See Whetten-Goldstein, K., Sloan, F., Stout, E., & Liang, L. (2000). Civil liability, criminal law, and other policies and alcohol-related motor vehicle fatalities in the United States:

¹⁷ See VCBH SHO Impact Evaluation Report Executive Summary page V

¹⁸ See VCBH SHO Impact Evaluation Report SECTION 3: FINDINGS – IMPACT DATA INDICATORS Page 18

¹⁹ See VCBH SHO Impact Evaluation Report SECTION 3: FINDINGS – PATROL SURVEY Page 22

²⁰ See VCBH SHO Impact Evaluation Report SECTION 3: FINDINGS – IMPACT DATA INDICATORS Page 16

²¹ See VCBH SHO Impact Evaluation Report SECTION 3: FINDINGS – PATROL SURVEY Page 22

THE EXCELLENCE PROJECT (EP)

A community collaboration working towards the continual reduction of underage drinking and illegal substance use.

MODEL SOCIAL HOST LIABILITY ORDINANCE—STEAMBOAT SPRINGS

THE PROBLEM

- Local and national research shows home parties are among the most problematic settings for underage and young adult binge drinking.
 - Assaults, rapes, deaths, injuries, and other crimes stem from home parties.
 - Impaired driving, noise and other disturbances to community.
 - Enforcement costs— from January 1-December 31, 2008 SSPD had 462 noise complaint cases. In this same time period, SSPD reports that 256 minors were involved in alcohol related cases.
- Home parties are particularly problematic because of three factors:
 - Number of persons, underage at “unsupervised” parties;
 - Large quantities of alcohol consumed, alcohol poisonings, violence, other crimes; and
 - Limited tools for law enforcement and municipalities.
 - State Law does not prohibit youth consumption of alcohol provided by youth’s parent/guardian, under the supervision of parent/guardian.
 - Limited, if any, consequences for repeat hosts of underage and unruly drinking parties.

THE POLICY SOLUTION: SOCIAL HOST LIABILITY

Hold individuals responsible for underage drinking events on property they own, lease or otherwise control—targeting the venue or setting where problems exist.

Features	Benefits
Civil Violation	Easy to administer, Routt County District and County courts not required (Steamboat Springs Municipal Court to enforce)
First offense \$500	Fines collected. Minimum of 24 hours of community service (to be completed outside of work/school hours); complete alcohol education program (offender’s expense).
Second offense \$750	Fines collected. Minimum of 24 hours of community service (to be completed outside of work/school hours); complete alcohol education program (offender’s expense).
Third offense \$999	Fines collected. Minimum of 24 hours of community service (to be completed outside of work/school hours); complete alcohol education program (offender’s expense)
Cumulative Penalties	Strong deterrent effect. Deters repeat offenders who create costs to the City, both in terms of actual costs, and officer availability for other calls.
Judicial Discretion	Option to sentence offenders to term in Routt County jail in accordance with Section 1-15 of the Steamboat Springs Municipal Code. Agreements in place to house Defendants in Jackson and Moffat County, from respective Sheriffs, free of charge for short-term prisoners.

Social Host Ordinance – Data Resources

** This guide is meant to be for reference only. Grand Futures Prevention Coalition recognizes that data presented may not be current and urge groups to conduct independent research to ensure the most current data figures.*

NATIONAL STATISTICS – UNDERAGE DRINKING

- In 2010 the proportions of 8th, 10th, and 12th graders who admitted drinking an alcoholic beverage in just the 30-day period prior to the survey were 14%, 29%, and 41%, respectively.¹
- In 2010, 53.6% of 8th, 10th, and 12th graders (combined) have used alcohol in their lifetime.²
- In 2010, 34.2% of 8th, 10th, and 12th graders (combined) have reported being drunk in their lifetime.³
- In 2010, 61.1% of 8th graders, 80.0 % of 10th graders, and 90.4% of 12th graders stated that it is, or would be, “fairly easy” or “very easy” for them to get alcohol.⁴
- Law enforcement officials report that, in many cases, underage drinking parties occur on private property, but the adults responsible for the property are not present and/or cannot be shown to have furnished the alcohol.⁵
- 53.4% of underage drinkers drank at someone else’s home and;
- 30.3% drank in their own home⁶
- Parents are the most common supplier of alcohol to those under 21 and parents are the primary influencer of teens.⁷
- Among the leading risk factors contributing to attempted suicide in youth is depression, alcohol or other drug use.⁸
- Traffic crashes are the number one killer of teens and 28 percent of fatal traffic crashes involving teen drivers are alcohol related.⁹
- Alcohol is the number one youth drug problem in America and more young people die from alcohol related incidents than from all other illicit drugs combined.¹⁰
- According to the Colorado Coalition Against Sexual Assault, alcohol is the number one “drug” associated with the crime of sexual assault.¹¹

¹ See <http://monitoringthefuture.org/pubs/monographs/mtf-overview2010.pdf>

² See <http://monitoringthefuture.org/pubs/monographs/mtf-overview2010.pdf>

³ See <http://monitoringthefuture.org/pubs/monographs/mtf-overview2010.pdf>

⁴ See <http://monitoringthefuture.org/pubs/monographs/mtf-overview2010.pdf>

⁵ See “Not in Our House: A Nationwide Initiative on Underage Drinking and Social Hosting,” International Institute for Alcohol Awareness; www.centurycouncil.org/lib/downloads/iaaa/IAAA_Coach_Guide.pdf.

⁶ See <http://www.MADD.org>.

⁷ Teenage Research Unlimited. *Online Teen Omnibus Survey* (April, 2005). Key findings available online at: <http://www.amaassn.org/ama1/pub/upload/mm/388/keyfindings.pdf>

⁸ The Surgeon General’s Call to Action to Prevent Suicide, 1999, www.surgeongeneral.gov/library/calltoaction/fact3.htm

⁹ See http://www.madd.org/media-center/media-library/UD_fact_sheet.pdf

¹⁰ See http://www.madd.org/media-center/media-library/UD_fact_sheet.pdf

- Sexual assault is not uncommon in Colorado: 1 in 4 women and 1 in 17 men have experienced attempted or completed sexual assault.¹²
- Additionally, on college campuses, 90% of all sexual assaults involve the use of alcohol or other drugs.¹³
- Research has indicated that one typical way underage youth procure alcohol is at parties where parents and other adults have left them unsupervised.¹⁴
- Research also states that social host liability laws are among the most effective forms of public policy to reduce binge drinking and driving, thereby saving taxpayers money from repeated disturbance calls to police, reduced emergency medical responses to underage drinking parties, reduced injuries and violence, and increased peace within our neighborhoods and protection to private property.¹⁵
- Underage Drinking Costs American taxpayers ~\$61.9 billion annually.¹⁶
- Social Host Ordinances give police a tool beyond standard disturbing-the-peace laws.¹⁷
- Social host laws increase police availability and resources to respond to other important community needs.¹⁸
- The SHO will not infringe upon the privacy interests or civil liberties of the citizens of Steamboat Springs. Local law enforcement powers, including search and seizure, will not increase due to the adoption of the SHO. Law enforcement are subject to all provisions of the US and Colorado Constitutions, including the Fourth Amendment to the US Constitution, which guards against unreasonable search and seizure.¹⁹
- In accordance with the Fourth Amendment, local law enforcement will be required to obtain judicially issued search and arrest warrants, as supported by probable cause, except in circumstances meeting the long-standing, judicially recognized exceptions to this rule.²⁰

¹¹ “What Happened? Drug-Facilitated Sexual Assault (“Date rape drugs”),” Colorado Coalition Against Sexual Assault, Colorado Sexual Assault Prevention, and Colorado Department of Public Health and Environment, www.casa.org.

¹² Colorado Coalition Against Sexual Assault, www.casa.org.

¹³ Colorado Coalition Against Sexual Assault, www.casa.org.

¹⁴ See www.centurycouncil.org/lib/downloads/iiaa/IIAA_Coach_Guide.pdf, citing Jones-Webb, et al., 1997, “Relationships among alcohol availability, drinking location, alcohol consumption and drinking problems in adolescents,” *Substance Use and Misuse* 32, 1261-1285.

¹⁵ See “Fact Sheet: San Diego Survey on Social Host Laws,” Institute for Public Strategies, August 2003, www.publicstrategies.org, citing Stout, Sloan, Liang & Davis, 2000, *Journal of Studies on Alcohol*; Dan Hicks, “Youth Drinking Laws Save Lives, and Money: Holding party hosts responsible makes parties—and communities—safer,” www.venturacountylimits.org.

¹⁶ Miller, Levy, Spicer & Taylor. “Societal Costs of Underage Drinking” *Journal of Studies on Alcohol* (2006).

¹⁷ Source: “Laws crash underage drinking parties: Fines intended ‘to get parents to change their behavior’ when their kids want to have a bash,” John Ritter, USA TODAY, January 5, 2007.

¹⁸ See Annual Report of The Task Force on Substance Abuse Prevention, Task Force on Substance Abuse Prevention, September 2008, Page 10; http://www.state.ar.us/dhs/dmhs/Final_LTF_Report.pdf.

¹⁹ Fourth Amendment, Constitution of the United States, <http://www.gpoaccess.gov/constitution/pdf/con015.pdf>

²⁰ Such exceptions include: exigent circumstances, plain view, searches incident to lawful arrest, and the motor vehicle exception, among several other recognized exceptions to this rule.

COLORADO STATE STATISTICS – UNDERAGE DRINKING

Colorado State Data is available through:

Colorado Prevention Partners Website - <http://rpscolorado.org/cpp.htm>

Department of Behavioral Health Portal - <http://clientportal.omni.org/d/dbh/Pages/Welcome.aspx>

Colorado State Healthy Kids Colorado Survey - <http://collaboration.omni.org/sites/hkcs/SitePages/Home.aspx>

Colorado Department of Public Health & Environment - <http://www.cdphe.state.co.us/>

Colorado Department of Revenue, Enforcement- <http://www.colorado.gov/cs/Satellite/Revenue-Main/XRM/1222943467539>

Colorado Department of Transportation, Programs- <http://www.coloradodot.info/programs>

ADDITIONAL REFERENCES – UNDERAGE DRINKING

- Examples of the most promising findings and impacts of the Social Host Ordinances in three Ventura County cities thus far are listed below.
 - Since passage of the ordinances, a total of 129 SHO violations have been issued across the three jurisdictions. This represents approximately half of the 242 citations issued in Ventura County to date;
 - The overall rate of SHO violations per party disturbance calls for service has decreased since the ordinances were passed – for example, 2007 rates have dropped from 17.5 Social Host violations per 500 party disturbance calls to 13.1 in Camarillo;
 - The size of underage drinking parties appear to have decreased since the passage of the ordinance – some enforcement data indicated decreases in the percentage of hosts who received citations for parties with 51-100 attendees and several law enforcement officers noted decreased size of underage drinking parties in Thousand Oaks;
 - CHKS data for Thousand Oaks students demonstrated decreases in ease of obtaining alcohol since the implementation of the ordinance - 59% of 9th graders and 78% of 11 graders reported that alcohol is fairly or very easy to obtain in Fall 2007, as compared to 65% and 84% of 9th and 11th graders before the ordinance was passed;
 - The majority of persons who received a Social Host violation have done so only once. That is, only 4% of violators were repeat offenders.²¹
- Examples of the most promising findings and impacts of the Social Host Ordinances in Steamboat Springs and Craig
 - Healthy Kids Colorado Survey, 2008 and 2010
 - GFPC observed 18% and 7% decreases among lifetime and 30-day alcohol use among RC and MC youth;

²¹ Evalcorp Research & Consulting. (2009). *Ventura County Social Host Ordinance Impact Evaluation: Phase I Findings*. [Data file] Retrieved from http://venturacountylimits.org/resource_documents/VC_SHO_Eval_v2_2010_web.pdf

- 13% and 5% decreases are reported in binge drinking within RC and MC youth, respectively;
- 11% decrease among lifetime marijuana use and in prescription drug use among RC youth;
- GFPC also observed and a 5% decrease in MC youth who reported driving a car or other motor vehicle after drinking alcohol.²²
- 2011 Grand Futures Community Report Results 2011 (MC, GC, RC)
 - 83% of community members reported having either a moderate or high level of knowledge about the Social Host Ordinance;
 - 76% of community members feel that there are no safe environments for underage drinking;
 - Of the 16% of community members that reported there are safe environments for underage drinking, 90% reported the safe environment to be with parents.²³

Other Helpful Websites:

Alcohol Policy Information System - <http://www.alcoholpolicy.niaaa.nih.gov/Home.html>

Century Council - <http://www.centurycouncil.org/>

SAMHSA - <http://www.samhsa.gov/>

Parents, The Anti-Drug - <http://www.theantidrug.com/>

Above the Influence - <http://www.abovetheinfluence.com/>

National Institute on Drug Abuse - <http://www.nida.nih.gov/nidahome.html>

National Highway Traffic Safety Administration - <http://www.nhtsa.gov/>

²² OMNI Institute. (2010). *Healthy Kids Colorado Survey in Routt County and Moffat County*. [Data file]

²³ OMNI Institute. (2011). *Grand Futures Community Survey: 2011-2012 Results*. [Data File]

Steamboat Springs Police Department Statistics

Social Host Ordinance Citations Issued

Time Period: 05/05/2009 - 03/20/2010
 Number of Individuals Cited During Period: 9
 Sort: by Arrest Date

Arrest #	Case #	Citation #	Arrest Date	Location	Statute	Charge	Arrestee Gender	Arrestee Age at Time of Arrest	Disposition*	Disposition Detail	# MIP Cites Issued During Incident
P0907785A	P0907785	M39369	10/14/09	45 BUTCHERKNIFE ALY	2241-10-206	Liquor Laws - Social Host	M	19	Deferred Sentence	24 Hr UPS, Alcohol Class, \$540	5
P0907785B	same as above	M39368	10/14/09	45 BUTCHERKNIFE ALY	2241-10-206	Liquor Laws - Social Host	M	19	Deferred Sentence	24 Hr UPS, Alcohol Class, \$500	same as above
P0907785C	same as above	M39365	10/14/09	45 BUTCHERKNIFE ALY	2241-10-206	Liquor Laws - Social Host	M	20	Deferred Sentence	24 Hr UPS, Alcohol Class, \$540	same as above
P0907785D	same as above	M39366	10/14/09	45 BUTCHERKNIFE ALY	2241-10-206	Liquor Laws - Social Host	M	19	Deferred Sentence	24 Hr UPS, Alcohol Class, \$540	same as above
P0907785E	same as above	M39367	10/14/09	45 BUTCHERKNIFE ALY	2241-10-206	Liquor Laws - Social Host	M	19	Deferred Sentence	24 Hr UPS, Alcohol Class, \$540	same as above
P0908609E	P0908609	M39454	11/24/09	840 YAMPA ST	2241-10-206	Liquor Laws - Social Host	F	18	Dismissed by Prosecution at Request of PD		10
P0909280B	P0909280	M42369	12/28/09	1065 CRAWFORD	2241-10-206	Liquor Laws - Social Host	M	20	Deferred Sentence	24 Hr UPS, Alcohol Class, \$500	12
P1000170B	P1000170	M42561	1/6/10	1387 MORGAN CT	2241-10-206	Liquor Laws - Social Host	F	19	Deferred Sentence	24 Hr UPS, Alcohol Class, \$580	10
P1001856A	P1001856	M43212	3/18/10	2560 LONGTHONG UNIT 2	2241-10-206	Liquor Laws - Social Host	F	18	04/21/10 court date		4

*Disposition info obtained from RMS system entry info provided for charge by Municipal Court Clerk

Note: SSPD does not close cases to auditing, updating or editing. Therefore, statistics are subject to minor changes over time as cases are reviewed and/or updated.

Steamboat Springs Police Department Statistics

Social Host Ordinance Citations Issued

Time Period: 03/21/2010 - 07/31/2011
 Number of Individuals Cited During Period: 10
 Sort: by Arrest Date

Arrest #	Case #	Citation #	Arrest Date	Location	Statute	Charge	Arrestee Gender	Arrestee Age at Time of Arrest	Disposition*	Disposition Detail	# MIP Cites Issued During Incident
P1002654T	P1002654	M42622	04/23/2010	1350 BLUE SAGE 2 DR	2241-10-206	Liquor Laws - Social Host	M	19	Deferred & Dismissed	24 Hr UPS, Alcohol Class, \$500	23
P1002654U	P1002654	M42371	04/23/2010	1350 BLUE SAGE 2 DR	2241-10-206	Liquor Laws - Social Host	M	19	Deferred & Dismissed	24 Hr UPS, \$520	same as above
P1002654V	P1002654	M42372	04/23/2010	1350 BLUE SAGE 2 DR	2241-10-206	Liquor Laws - Social Host	M	19	Deferred & Dismissed	24 Hr UPS, \$520	same as above
P1002654W	P1002654	M42370	04/23/2010	1350 BLUE SAGE 2 DR	2241-10-206	Liquor Laws - Social Host	M	18	Deferred	24 Hrs UPS, Alcohol Class, \$500	same as above
P1003165B	P1003165	M42563	05/20/2010	1235 STONE LN	2241-10-206	Liquor Laws - Social Host	M	24	Dismissed		1
P1003165C	P1003165	M42562	05/20/2010	1235 STONE LN	2241-10-206	Liquor Laws - Social Host	M	20	Dismissed		same as above
P1003165A	P1003165	M43707	07/10/2010	1234 STONE LN	2241-10-205	Liquor Laws - Social Host	M	20	Deferred	24 Hr UPS, Alcohol Class, \$580	same as above
P1005819F	P1005819	M43894	08/26/2010	500 ORE HOUSE PLZ CIR 105	2241-10-206	Liquor Laws - Social Host	M	20	Deferred	24 Hr UPS, Alcohol Class, \$580	9
P1005854G	P1005854	M43788	08/27/2010	411 YAHMONITE	2241-10-206	Liquor Laws - Social Host	F	20	Deferred & Dismissed	24 Hr UPS, Alcohol Class, \$500	7
P1007645A	P1007645	M43173	11/07/2010	1350 BLUE SAGE DR	2241-10-206	Liquor Laws - Social Host	M	20	Deferred & Dismissed	24 Hr UPS, Alcohol Class, \$580	16

*Disposition info obtained from RMS system entry info provided for charge by Municipal Court Clerk

Note: SSPD does not close cases to auditing, updating or editing. Therefore, statistics are subject to minor changes over time as cases are reviewed and/or updated. The number of MIP citations issues may include instances where a suspect receives a county citation for MIP and subsequently receives a Municipal citation for Social Host Ordinance violation.

Social Host Ordinance Unveiled

- Social host ordinance (SHO) applies to both minors and adults.
- SHO only applies to the Steamboat Spring' city limits—not Routt County.
- SHO holds minors and adults liable for hosting underage drinking parties.
- In order to be guilty you must KNOW that there is an underage party, or that underage youth are drinking on your property.
- Only persons who live/rent/own the property, or are otherwise entitled to be present on the property, can be held liable.
- Law enforcement will still need a search warrant + probable cause in most circumstances to come onto private property.
- Certain exceptions exist by law
- 2 important exceptions:
 - Parental supervision: Your parent/guardian can give you alcohol as long as they only give alcohol to you (their child) AND are present while you are drinking. Parent/guardian cannot give alcohol to any other youth.
 - Safe harbor provision: Adults and minors will not be prosecuted under the SHO if:
 - Underage youth needs medical attention; and
 - Minor/adult calls 911 to report;
 - Minor/adult gives name + up to 2 other names (total 3 people);
 - Minor/adult was first to call person to call 911; and
 - Minor/adult stays on the scene until police/911 arrive.
- Penalties:
 - First offense: \$500 fine + alcohol education class + 24 hours community service
 - Second offense: \$750 fine + alcohol education class + 24 hours community service
 - Third offense: \$999 fine + alcohol education class + 24 hours community service
- Possibility of jail time for adults > 18 years if Municipal Court Judge orders it (same as all municipal ordinances).
- No jail time for minors under the age of 18. Penalties may be different for minors depending on Municipal Court Judge's order.
- Violations are prosecuted in Steamboat Springs Municipal Court; NOT County or District Courts.

SOCIAL HOST ORDINANCE FAQ's

What is a Social Host Ordinance?

A social host ordinance holds adults responsible for hosting, or in other words, knowingly providing a place for underage drinking to occur. A "Social Host" refers to an adult who allows underage drinking on property that he/she owns, leases or otherwise controls.

I thought providing alcohol to a minor was already illegal. How is a Social Host Ordinance different than what already exists?

It is illegal for adults to furnish alcohol to individuals under the age of 21. However, when law enforcement officials arrive on the scene of an underage drinking party, youth typically don't "rat" anyone out, so it is often difficult to determine who actually provided the alcohol. A Social Host Ordinance allows law enforcement to cite the individual who hosts or provides a *setting* for underage drinking to take place.

Why does this ordinance target parties that occur on private residences and premises?

Parties and gatherings on private property (including rented or leased condos and hotel/motel rooms) have repeatedly been identified as the primary source by which youth obtain alcohol. Kids obtain alcohol at parties through friends, older siblings or adults.

How is "private residence" and "private premise" defined?

"Private premise" is defined as any privately owned or leased land, including backyards, fields, outbuildings, wooded areas, fields, etc. appurtenances. "Private residence" has been defined as the place where one actually lives, or has his or her home.

If I go away on vacation and my child hosts an underage drinking party, am I responsible?

Under the proposed ordinance for Steamboat Springs, adults are *not* responsible for hosting the party if they are not at home and youth hold a drinking party without their knowledge. A teen or other person in control of the house could be cited for hosting the party in addition to possessing alcohol. This new law doesn't change existing civil liability—adults can be held liable for injuries or other consequences that occur regardless of whether they are present or not.

What if I'm upstairs sleeping and my child sneaks booze into the house, am I responsible?

Adults who *knowingly* allow underage alcohol use on their private property will be held responsible. If an adult is not aware that an underage person brought alcohol onto the property or if the underage person is concealing the alcohol, that adult will not be held responsible. Police officers must establish probable cause by determining that a person knew or should have known that underage drinking was occurring on the premises.

What if underage drinkers are trespassing on my property?

The provisions of this ordinance shall *not* apply in the case of a party or gathering consisting entirely of persons trespassing on the premise or residence.

Will this ordinance violate my 4th Amendment Rights?

No! The State of Colorado allows law enforcement to enter a private residence without a search warrant for the following reasons: Exigent Circumstances, Plain View, Fresh/Hot Pursuit, and Consent/Permission. The Social Host Ordinance does not increase law enforcement's ability to enter someone's home or property. Law enforcement officers would continue to be held to the same standards decided upon by the Supreme Court.



SOCIAL HOST ORDINANCE FAQ's

What are the penalties for violating the proposed Social Host Ordinance?

First offense: \$500, Second offense: \$750, Third offense: \$999. Fines are in addition to community service and an alcohol education class. (Per municipal code, a judge could issue jail time in egregious situations).

If all kids are going to drink anyway, isn't it better to "take the keys" and provide them a safe environment?

No! The truth is that driving drunk is not the only negative outcome of underage drinking we are trying to prevent.

- Research shows that underage drinking affects a youth's brain and body development and increases a youth's risk of developing alcohol problems as an adult.
- Young adults (often college students over 21 years) frequently host parties and allow, often encourage, minors (this includes high school students), to consume alcohol. Drinking parties often involve binge drinking (5 or more drinks on one occasion) which greatly increases the risk of: alcohol poisoning, accidents and injury, motor vehicle crashes, mixing alcohol with other drugs, violence, sexual abuse and the practice of unsafe and unprotected sex.
- Also, it is wrong to assume that "all kids are going to drink anyway". Teens face a great deal of peer pressure to drink, however many teens choose not to drink and are often looking for a "way out". Adults need to support teens in making healthy decisions—not encourage unhealthy decisions.

Why is this ordinance good legislation?

The ordinance addresses the problem of underage drinking where it most frequently occurs—in homes and on other private property. Underage drinking parties, even casual gatherings with just a few teens, can easily spiral out of control. The proposed ordinance will do the following:

- Encourage parents and adults to avoid unsafe environments that foster high risk, destructive behavior.
- Provide parents peace of mind by knowing that when their child is at someone else's home, it is illegal for another adult to let them consume alcohol.
- Hold both teens and adults accountable for their behavior.
- Provide law enforcement an important tool to prevent tragedy rather than react to it.
- Assist and support parents and their children to communicate and make wise decisions.
- Reinforce a clear and consistent community-wide message that underage drinking is unhealthy, unsafe and unacceptable.

Would this proposed ordinance prevent parents from providing alcohol to their own children?

No. The decision to provide alcohol to one's own child is a personal choice and freedom. Under current law it is legal for underage persons to consume alcohol while accompanied by their parent, guardian or spouse over the age of 21. This ordinance prevents adults from knowingly allowing children *other than their own* to possess alcohol on private property without that child's parent being present. **The right to allow a child to drink is reserved only for a child's legal parent or guardian – no one else.**

If my child is arrested and found guilty, will this go on his/her permanent record?



SOCIAL HOST ORDINANCE FAQ's

Anyone over the age of 18 found guilty of being a social host will face charges that will go on their criminal record. For anyone under the age of 18, the offense is an infraction - a citation similar to a parking ticket.

Do you really expect this ordinance to solve the huge issue of underage drinking?

This ordinance will not solve all youth related alcohol problems on its own. The ordinance is an important part of a multi-faceted, community-based approach to continually reduce the number of young people using illegal drugs and alcohol. Other integral aspects of this goal are to enhance the Codes of Conduct for Extracurricular Activities both in public schools and private sports clubs and also further increase parent education focused on raising healthy children.

Alcohol prevention strategies that target the *individual*, and seek to affect behavior directly (such as education, counseling, mentoring), are only one component of any strategy to implement effective change in a community. These individual-based strategies can be effective in achieving certain outcomes, however alcohol-related behavior does not occur in isolation. Rather it is shaped by one's physical and social settings. That is why *environmental* prevention is an essential part of a comprehensive approach to the prevention of alcohol problems in any community.

Based on a best practices model, "effective environmental prevention efforts" should target 4 areas: community norms, access and availability, media messages, and policy and enforcement (Marin Institute). All four of these areas are being targeted by the Excellence Project and Grand Futures Prevention Coalition. The Social Host Ordinance fits into both the access/availability and policy/enforcement areas. It is expected that passage of this ordinance will also help to change the community norm that it is "OK to provide alcohol to someone else's child because at least they are drinking in a safe place" to a norm that

A lot of underage drinking parties are held outside of city limits. Why is the proposed ordinance not drafted as a county ordinance?

The Excellence Project has identified a Steamboat Springs municipal Social Host Ordinance as a first step towards our greater goal: to work with government officials towards county and state-wide legislation that support policies that limit youth access to alcohol. While many cities and counties across the nation are passing Social Host Ordinances, Steamboat Springs would be the first city in Colorado, taking the lead and setting an example for other communities as well as for the whole state. Craig and Vail are also looking to pass a Social Host Ordinance in the near future.

**Before, there were few penalties
for the hosts of underage drinking parties.**

THAT WAS THEN. THIS IS NOW.
PARTY HOSTS CAN BE FINED \$1,000!

Now, the individuals responsible for the party can be held accountable—even if they didn't personally buy the alcohol—for “hosting” the party. If police are called to respond to an underage drinking incident on property you own, lease or otherwise control—you could be cited and have to **pay a civil fine of \$1,000**. If you are the person who organizes or supervises the party, and it requires police response, you could also be fined \$1,000—even if you are a teenager!

SITUATION	POSSIBLE CONSEQUENCES
Loud party —no youth	Police may issue warning —disperse party
Loud party, youth drinking	Police may issue citation(s) that could result in fines up to \$1,000 to host(s), declare that an Unruly Gathering Exists, and that responsible persons will be charged for additional emergency party calls within a 12-month period.

For more information visit **www.venturacountylimits.org**

To report a nuisance party or gathering where underage drinking may be occurring, please contact the **Ventura County Sheriff's Department at 805-654-9511**.



ALCOHOL AND DRUG PREVENTION DIVISION





“Si mi chamaco toma bebidas alcoholicas en tu casa tendras que respondernos a nosotros **dos**.”

CONOCE LA NUEVA LEY.*

Llama para reportar menores de edad tomando bebidas alcoholicas en fiesta ruidosa.
Camarillo, Fillmore, Moorpark, Ojai & todas las areas no incorporadas - 654-9511
Oxnard - 385-7740 • Port Hueneme - 986-6530 • Santa Paula - 525-4474
Simi Valley - 583-6950 • Thousand Oaks - 494-8200 • Ventura - 650-8010

* La multas para los anfitriones varian en cada comunidad

 Ventura County Behavioral Health
PROGRAMAS Y SERVICIOS DE PREVENCIÓN EN ALCOHOL Y DROGAS

 **VENTURA COUNTY LIMITS**

VENTURACOUNTYLIMITS.ORG

“If my kid drinks alcohol at your home, you’ll be answering to **both** of us.”

KNOW THE NEW LAW.*

CALL TO REPORT A LOUD PARTY WITH UNDERAGE DRINKING
Camarillo, Fillmore, Moorpark, Ojai & all Unincorporated - 654-9511
Oxnard - 385-7740 • Port Hueneme - 986-6530 • Santa Paula - 525-4474
Simi Valley - 583-6950 • Thousand Oaks - 494-8200 • Ventura - 650-8010

* Social Host fines vary by community

 Ventura County Behavioral Health
ALCOHOL & DRUG PROGRAMS
PREVENTION SERVICES

 **VENTURA COUNTY LIMITS**

VENTURACOUNTYLIMITS.ORG

ALCOHOL + TEENS + PARTY = \$2,500* FINE

*Fines vary by community

KNOW THE NEW LAW.

 Ventura County Behavioral Health
ALCOHOL & DRUG PROGRAMS
PREVENTION SERVICES

 **VENTURA COUNTY LIMITS**

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"If my kid drinks alcohol at your home, you'll be answering to **both** of us."

KNOW THE NEW LAW.

 **Ventura County Behavioral Health**
ALCOHOL & DRUG PROGRAMS
PREVENTION SERVICES

www.VenturaCountyLimits.org




Call to report a loud party with underage drinking.

KNOW THE NEW LAW.

Ventura: 650-9010
Oxnard: 385-7740
Port Hueneme: 996-6590
Santa Paula: 525-4474

Simi Valley: 563-6950
Thousand Oaks: 494-8200
Camarillo, Fillmore, Moorpark, Ojai & All Unincorporated: 654-9511

 **Ventura County Behavioral Health**
ALCOHOL & DRUG PROGRAMS
PREVENTION SERVICES





IT'S REAL.

More than 100 hosts of parties with underage drinking in Ventura County have been fined up to **\$2500.***

You can't afford it.

For more info:
VENTURACOUNTYLIMITS.ORG

 **Ventura County Behavioral Health**
ALCOHOL & DRUG PROGRAMS
PREVENTION SERVICES

 **VENTURA COUNTY LIMITS**

*Citations within past 2 years. Exact fines vary by community.