

RESOLUTION NO. 07-1451

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING ADMINISTRATIVE FINES FOR VIOLATIONS OF THE SOCIAL HOST ACCOUNTABILITY ORDINANCE

WHEREAS, the occurrence of unruly gatherings on private property where alcoholic beverages are served to, consumed by, or in the possession of persons under the age of twenty-one years is harmful to the underage persons themselves and is a threat to the public health, safety, or quiet enjoyment of residential property and the general welfare. Underage persons, who have been consuming alcoholic beverages, are at greater risk to be in automobile accidents, to commit suicide, to be assaulted, and females are at greater risk of sexual assaults;

WHEREAS, the City Council has approved the Social Host Accountability Ordinance No. 06-341 and its provisions are now legally enforceable;

WHEREAS, the City Council seeks to establish administrative penalties including administrative fines, to discourage unruly gatherings as described in the Social Host Accountability Ordinance;

WHEREAS, the administrative fines established by this Resolution are reasonable and are tiered for repeat violations;

WHEREAS, the fines at each tier level for such violations are established as maximum amounts to allow the City's appointed Hearing Officer to evaluate the circumstances of each individual violation and determine the appropriate penalty;

WHEREAS, the City's appointed Hearing Officer is provided the discretion to assign an appropriate and reasonable amount of community service hours that must be completed within a specified time period in lieu of paying the administrative fine is an alternative that may be utilized as seen fit;

WHEREAS, the City Council has sufficiently considered the information presented to them in order to make the following determination;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Agoura Hills as follows:

SECTION 1. The City Council hereby establishes the following administrative penalties for violations of the Social Host Accountability Ordinance No. 06-341.

SECTION 2. The administrative fines are established as follows:

First violation: up to \$500
Second violation: up to \$750
Third or additional violations: up to \$1,000

In lieu of paying the assigned administrative fine and at the sole discretion of the City's appointed Hearing Officer, community service may be performed by the minor at the desire of the "responsible person", as defined in the Social Host Accountability Ordinance, who has received such notice of the violation and has had their case heard before the City's appointed Hearing Officer. The amount of community service hours to be performed and the time period in which said community service hours must be completed will be determined by the Hearing Officer based on the facts and circumstances of the violation.

SECTION 3. This resolution is to take effect as of the date passed, approved and adopted.

PASSED, APPROVED, AND ADOPTED, this 27th day of June 2007, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSENT: (0)
ABSTAIN: (0)

Dan Kuperberg, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk