

REPORT TO CITY COUNCIL

DATE: JUNE 27, 2007

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER

SUBJECT: ADOPTION OF RESOLUTION NO. 07-1451; ESTABLISHING ADMINISTRATIVE FINES FOR VIOLATIONS OF THE SOCIAL HOST ACCOUNTABILITY ORDINANCE

On April 25, 2007, the City Council formally adopted Ordinance No. 06-341; Social Host Accountability Ordinance. The proposed resolution would establish the administrative penalties associated with violations of the ordinance.

The Social Host Accountability Ordinance was developed to address the issue of unruly gatherings in which alcohol is being consumed by persons under the age of twenty-one. The ordinance provides an additional tool to the Los Angeles County Sheriff's personnel to address and disperse these unruly gatherings as they occur in the community. Violators of this ordinance will be cited by Sheriff's personnel and will have the opportunity to go before the City's appointed Hearing Officer to have their case heard. The Hearing Officer will be able to listen to and disseminate all of the pertinent information and make a ruling based on the circumstances presented.

The process was developed in conjunction with input from the City Council in order to have flexibility within the program should the instance arise where a citation was issued to a parent whose otherwise law abiding child had a "one time" lapse of good judgment and violated the ordinance. The responsible party (parent/guardian) of each incident will have the option to have their child perform community service in-lieu of the monetary fine. The Hearing Officer will have the ability to establish the amount of community service hours and the timeframe in which it must be completed based on the circumstances and the severability of the violation and nuisance caused to the public.

The schedule of fines was tiered for repeat offenders of the ordinance so as to discourage repeat offenses which require a large amount of public safety personnel and time. The fines are proposed as "up to" amounts to provide the Hearing Officer with some flexibility. The fines as proposed in the Resolution are as follows:

- First Offense: up to \$500
- Second Offense: up to \$750
- Third Offense: up to \$1,000

