

Council Policy in Support of the "Party Ordinance"

The Santa Cruz City Council does not intend that every call for police service with respect to neighborhood noise and party issues will necessarily result in tenants and landlords involved being identified as subject to the "Loud and Unruly Gathering Ordinance." Often the police are called by overly sensitive neighbors, or the party about which they are called is annoying a neighbor without being so "loud and unruly" as to justify official warnings, fines, or the payment of City costs. Sometimes, a simple warning to "turn down the music" or to "go inside and keep the noise down" will suffice without further criminal or civil sanctions. Using their discretion, police officers may even, on occasion, decide to break up a party and send people home without believing the party is so unruly as to deserve the sanctions provided under Ordinance No. 2005-20 of the Santa Cruz Municipal Code.

It may also be the case that the residents of a house, rather than the neighbors, call the police to deal with outsiders who have "crashed" a party without an invitation, and the residents are very cooperative in helping the police to identify the uninvited guests and are willing to prosecute them for invading their home. It is certainly not the intent of the Santa Cruz City Council to warn, fine, or charge City fees to the residents or landlords of a house in such a situation, but rather to hold the guilty individuals responsible. (Not withstanding this comment, calling the police after the neighbors have called would hardly be a defense against the police implementing Ordinance No. 2005-20.)

However, when the police arrive at the scene in response to a call from one or more neighbors and find one or more of the following kinds of common problems—huge crowds, drunken and out-of-control behavior, destruction and abuse of neighborhood property, excessive noise, fights, public urination, drinking by minors, hostility, and lack of cooperation with police on the part of residents and party attendees—the provisions of the Loud and Unruly Gathering

Ordinance, Ordinance No. 2005-20, will be invoked by the responding officer or officers.

Where can I see this law?

The full text of the new ordinance can be seen on the City's website. Go to <http://www.ci.santa-cruz.ca.us> and search for "Ordinance No. 2005-20."

Some Revisions Are Being Considered

The City Council is currently considering some revisions to the law to address concerns that are discovered as the law is implemented. Among some of the concerns are:

- The need for an appeal process through a City Hearing Officer when clear evidence can be presented that the presumption of individual and/or collective responsibility is not accurate in a particular case.
- A provision preventing landlords from charging their tenants a deposit against a potential penalty before the tenants have violated the ordinance.
- Possibly lowering the fines in the future, since the court costs appear to be much higher than originally intended by the City Council.

If I have a concern or question about this law, with whom may I speak?

You can reach the Mayor and Members of the City Council at (831) 420-5020 and leave a message for one or more, or all of these public officials. The Mayor or one of the Councilmembers will return your call. You can also email the Council at citycouncil@ci.santa-cruz.ca.us.

Some Hints for Avoiding Loud and Unruly Parties

(adapted from a UCSC Brochure)

Talk to your neighbors. Inform neighbors that you are having a party, and let them know what time the party will start, end, and how to contact you if problems arise.

If it is a weeknight, have some consideration for working folk and plan smaller gatherings.

Have a guest list and keep it small. Minimize your risk of unwanted guests like party crashers, underage drinkers, and the police! Inviting people you know means you will be less likely to deal with theft, damage, and fights.

Enlist your friends for party duty. Designate one person to make sure the volume on the stereo does not creep up and another friend to run the door to make sure that things do not get out of control. It is also a good idea to appoint a bartender (age 21 or older) who will refuse to serve those who have had too much to drink or anyone who is underage.

Plan a strategy to prevent drunk driving. Let your guests know you do not want anyone driving away from your party drunk. Not only is it illegal, but, as the host, you could be held liable for an accident or injury. A DUI arrest carries significant fines and fees, driver's license suspension, and can seriously impede someone's academic career.

Encourage party guests to use designated drivers when possible. Make available the Metro Bus Schedule for Night Owl Service, and post that Yellow Cab Company at (831) 423-1234 offers:

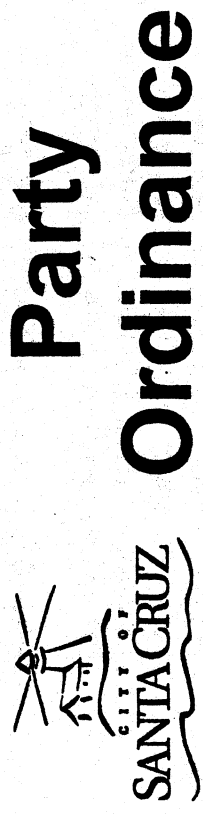
- 1) Scrip (buy vouchers ahead of time), 2) Share-a-Ride (five passengers for the price of one), and 3) Door-to-Door Service 24 hours a day.

Make sure you have plenty of non-alcoholic beverages available—and food, too. Not everyone chooses to drink, and some guests may be under the age of 21. Food will mediate the effects of alcohol for those who do choose to drink.

Pay attention to your party. As the host, you are expected to know who is at your party and what they are up to. Good music helps make for good parties, but cranking up the music is sure to bring the police to your door.

Do everything you can to prevent guests from getting too intoxicated, including offering alternatives to alcoholic beverages, avoiding drinking games, serving food, and slowing or stopping alcohol service before the end of the party to give people a chance to sober up.

Know how to deal with out-of-control guests. A good technique for dealing with drunk, rude, uninvited, or destructive guests who refuse to leave when asked politely is to stop serving alcohol. If this does not work, call 911 and let the police know you are having trouble with a guest.



Party Ordinance

If you are a new resident in the City of Santa Cruz, there is a new ordinance that you need to know about!

In response to neighborhood complaints about a growing problem with out-of-control house parties in the City of Santa Cruz, the City Council passed a Loud and Unruly Gathering Ordinance in 2005 (Ordinance No. 2005-20). The ordinance provides for both civil penalties (the full cost of the police response on a second offense within one calendar year) and criminal fines (\$250 on a first offense; \$500 on a second offense within one calendar year; and \$1,000 on a third offense within one calendar year. Substantial court costs will be added in addition to these fines.).

The ordinance presumes that all of the residents of a house, and the landlord if it is a rental unit, are individually and collectively responsible for loud and unruly events that occur at a house and all of the penalties and fines whether or not they are present at the event itself. Landlords may require leases which provide for their tenants to reimburse them if the landlord is fined or required to pay a penalty under this ordinance. The noise curfew in the City of Santa Cruz is 10:00 p.m.