



# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

### AGENDA ITEM

**DATE:** June 13, 2006

**TO:** Board of Supervisors

**SUBJECT:** **STRENGTHENING THE SOCIAL HOST ORDINANCE IN THE COUNTY OF SAN DIEGO (District: All)**

#### **SUMMARY:**

##### **Overview**

On June 17, 2003, the Board of Supervisors unanimously approved the Social Host Ordinance, which imposes civil and criminal liability on adults who own or control private residences or private premises and fail to properly supervise or stop minors from obtaining, possessing, or consuming alcoholic beverages. In an effort to strengthen the law, several revisions to the Social Host Ordinance are needed.

Consumption of alcoholic beverages by minors in public and private locations presents a myriad of problems for the minor, the community, and law enforcement. Even worse, some adults not only condone this behavior but they supply alcohol to minors at a party in their own home.

While many believe that underage drinking is a “rite of passage” or that teenagers can easily recover from the effects of alcohol because their bodies are more resilient, exactly the opposite is true. Young people who begin drinking alcohol before age 15 are four times more likely to become dependent on alcohol than those who wait until age 21.

For minors, alcohol abuse can lead to traffic crashes, violent crime, accidental injury, alcohol poisoning and increased risk-taking behaviors. For the community and law enforcement, the effects can result in the loss of lives, including friends and family, and increased law enforcement costs.

Today's action directs the Chief Administrative Officer to amend the County's Social Host Ordinance so that it applies to hosts who are under 21, imposes duties upon party hosts, and is indisputably a misdemeanor. Today's action further directs the Chief Administrative Officer to return to the Board of Supervisors within 45 days with proposed amendments for further consideration.

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**Recommendation(s)**

**SUPERVISOR JACOB AND SUPERVISOR COX:**

1. Direct the Chief Administrative Officer to amend the Social Host Ordinance to allow its application to hosts who are under 21.
2. Direct the Chief Administrative Officer to amend the Social Host Ordinance's "Knowledge Requirement," by imposing duties upon the party's host including, but not limited to: (1) verification of the age of guests; (2) control of access to alcohol; (3) control of the quantity of alcohol at the gathering; and (4) supervision of minors.
3. Direct the Chief Administrative Officer to amend the Ordinance to eliminate any doubt that the violation is a misdemeanor.
4. Direct the Chief Administrative Officer return to the Board within 45 days with the above changes.

**Fiscal Impact**

There is no fiscal impact associated with this request.

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**BACKGROUND:**

On June 17, 2003, the Board of Supervisors unanimously approved the Social Host Ordinance, which imposes civil and criminal liability on adults who own or control private residences or private premises and fail to properly supervise or stop minors from obtaining, possessing, or consuming alcoholic beverages. In an effort to strengthen the law, several revisions to the Social Host Ordinance are needed.

Consumption of alcoholic beverages by minors in public and private locations presents a myriad of problems for the minor, the community, and law enforcement. Even worse, some adults not only condone this behavior but they supply alcohol to minors at a party in their own home. Adults may feel that they are acting in the community's best interest when they provide alcohol to minors in the setting of their own home, but negative unintended consequences are often the result. Young people who begin drinking alcohol before age 15 are four times more likely to become dependent on alcohol than those who wait until age 21.

For minors, alcohol abuse can lead to traffic crashes, violent crime, accidental injury, alcohol poisoning and increased risk-taking behaviors. Alcohol is the number one choice of drugs for minors due to its accessibility. For the community and law enforcement, the effects of underage drinking can result in the loss of lives, including friends and family, and increased law enforcement costs. When a house party gets out of hand and disturbs the neighborhood, the

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Sheriff's Department responds to the disturbance, often having to use extensive resources to manage the incident. Further, a large social gathering that requires law enforcement attention takes away valuable resources from other service calls in a community.

Several amendments to the Social Host Ordinance are needed. The first amendment to the ordinance would allow its application to hosts who are under 21. Currently, the County's ordinance applies to adults and defines an adult as someone over the age of 21, which gives social hosts under the age of 21 a pass.

Today's action also directs the Chief Administrative Officer to amend the Ordinance's "Knowledge Requirement." This action would impose duties upon the party's host including, but not limited to: (1) verification of the age of guests; (2) control of access to alcohol; (3) control of the quantity of alcohol at the gathering; and (4) supervision of minors.

In addition, the original legislative intent of the Social Host Ordinance was to make violation of the social host ordinance a misdemeanor. However, a person charged under the prohibition section of the ordinance (32.1503) *could* argue that violation is only an infraction or that the ordinance is at least vague as to what penalty is meant to apply. Today's action directs the Chief Administrative Officer to amend the Ordinance to eliminate any doubt that the violation is a misdemeanor.

Today's also action directs the Chief Administrative Officer to work with County Counsel and appropriate County departments to update the County's Social Host Ordinance and return for consideration by the Board of Supervisors within 45 days.

We urge your support!

Respectfully submitted,

DIANNE JACOB  
Supervisor, Second District

GREG COX  
Supervisor, First District

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**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

<b>COUNTY COUNSEL REVIEW</b>	<input checked="" type="checkbox"/> Yes	
Written Disclosure per County Charter Section 1000.1 Required	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>GROUP/AGENCY FINANCE DIRECTOR</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
<b>CHIEF FINANCIAL OFFICER</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
Requires Four Votes	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
<b>COUNTY TECHNOLOGY OFFICE</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A
<b>DEPARTMENT OF HUMAN RESOURCES</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> N/A

**Other Concurrence(s):**

**ORIGINATING DEPARTMENT:** District First & District Second

**CONTACT PERSON(S):**

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**AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_