

**STAFF REPORT**  
**City of Lancaster**

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Date: June 23, 2015

To: Mayor Parris and City Council Members

From: Lee D’Errico, Public Safety Director  
Jocelyn Corbett, Asst. City Attorney / City Prosecutor

Subject: **Amendment to Title 9 of the Lancaster Municipal Code relating to Nuisance Gatherings and Social Host Accountability**

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**Recommendation:**

Introduce **Ordinance No. 1004**, amending Title 9 of the Lancaster Municipal Code by adding Chapter 9.22 (Nuisance Gatherings and Social Host Accountability), relating to the imposition of administrative penalties against responsible persons who conduct, host or allow unruly gatherings that create disturbances of the peace and other nuisance activities, including but not limited to gatherings where alcoholic beverages are consumed by underage persons.

**Fiscal Impact:** While it is anticipated that the City will generate some revenue as a result of the issuance of administrative citations, it is not known at this time to what extent that revenue may be offset by the costs associated with the administrative review and appeal process. After some history with the program, staff will amend the Public Safety Department budget accordingly.

**Background:**

In calendar years 2013 and 2014, the Los Angeles County Sheriff Department (LASD) responded to a combined total of 7,095 calls for service related to gatherings that created disturbances due to unruly conduct, often, in part, as a result of underage persons consuming alcoholic beverages. Such conduct may include physical altercations, violent crimes including sexual offenses, automobile accidents, neighborhood vandalism, and excessive noise disturbance. Unruly gatherings are often the result of inadequate, or a lack of, adult supervision. The need for LASD deputies to respond to such gatherings diverts law enforcement resources and costs the City of Lancaster an average of \$358,300.00 annually.

The City's chronic nuisance property ordinance, adopted in 2008, was designed to reduce the number of calls for service by the Los Angeles County Sheriff's Department (LASD) in response to complaints about disruptive social gatherings that create disturbances of the peace. The purpose of the ordinance was to deter property owners and other responsible persons from allowing disruptive gatherings to occur by charging them for the cost of law enforcement services associated with such service calls. While a useful tool, over time Chapter 8.52 has proven to require a significant amount of LASD, City staff and City Attorney time required to regularly review the LASD calls for service each month and track individual nuisance properties, and to generate and manage the paperwork associated with the cost recovery.

Ordinance No. 1004 establishes an administrative citation program that is designed to streamline the procedures of the chronic nuisance property ordinance while continuing to focus on reducing the number of LASD calls for service concerning unruly gatherings, by imposing financial penalties on responsible persons when such gatherings occur. The Ordinance also allows for immediate issuance of an administrative citation to persons who are engaging in certain unlawful nuisance activities.

The City is authorized to establish an administrative citation program by California Government Code section 53069.4, which provides, in pertinent part, as follows:

“The legislative body of a local agency ... may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. The local agency shall set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties.”

The Ordinance expressly states that it is unlawful to conduct, host or allow a gathering where unruly conduct and/or underage drinking occurs. It clearly defines what constitutes “unruly conduct” and who is considered a “responsible person” subject to the issuance of an administrative citation. It further sets forth the procedures for the issuance, appeal and administrative review of administrative citations, as well as the methods of collection of the penalties.

The Ordinance sets the administrative penalties at five hundred dollars (\$500.00) for the first citation and one thousand dollars (\$1,000.00) for the second and any subsequent citation.

Staff believes the penalties are high enough to deter responsible persons, including but not limited to parents of minors, from allowing their property to be used for unruly gatherings in the City of Lancaster.

**Attachment:**

Ordinance No. 1004