



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: COUNCILMEMBER
NANCY PYLE

SUBJECT: SOCIAL HOST ORDINANCE

DATE: May 11, 2012

APPROVED:

DATE:

RECOMMENDATION:

Approve staff's recommendation to adopt a citywide Social Host Ordinance aimed at deterring the service of alcoholic beverages to and consumption of alcoholic beverages by underage persons at certain gatherings.

For clarification purposes only – if a private property is rented or leased, the ordinance would not apply to landlords, lessors, management agents, apartment managers, or housing authority agents unless they had actual knowledge of an underage gathering.

BACKGROUND:

In November 2010, following the tragic drinking and driving death of a Leland High School senior, I proposed a citywide Social Host Ordinance to hold adults responsible for providing alcohol and hosting underage drinking parties. Already, Santa Clara County along with the cities of Morgan Hill, Gilroy, Palo Alto, Saratoga, Monte Sereno, Santa Clara, Los Altos, Los Gatos and Milpitas have taken steps to address underage drinking parties by enacting Social Host Ordinances. While there are existing programs and laws on the books to address the issue of underage drinking, a Social Host Ordinance gives us another tool to help adults and teens understand the dangers of underage drinking.

ANALYSIS:

I think we would all agree that the safety of our children is paramount and that the issue of underage drinking is a problem that needs to be dealt with in a timely, but thoughtful manner. That is why at the August 30, 2011 Council meeting, I and eight of my colleagues voted to include the Social Host Ordinance to the staff workplan for Fiscal Year 2011-2012 priority ordinances. The Social Host Ordinance was among the top three vote-getters at that meeting, receiving votes from Mayor Reed, Vice Mayor Nguyen, and Councilmembers Constant, Kalra, Chu, Campos, Herrera, and Rocha, in addition to myself.

I would like to thank staff for all of the work they have done to bring the Social Host Ordinance to the City Council for consideration. This effort was not undertaken lightly and many hands were involved in the drafting and vetting of this ordinance. Since its introduction at the Rules

HONORABLE MAYOR AND CITY COUNCIL

05-15-12

Subject: Agenda Item 5.2

Page 2

and Open Government Committee meeting in November 2010, staff, in conjunction with Voices United, has conducted outreach about a possible citywide Social Host Ordinance to the Youth Commission and the Neighborhoods Commission as well.

This is a thoughtful, well-crafted ordinance that balances our need to protect the health and well-being of our young residents with the realities of rental property ownership. It is supported by our own police department, as well as the San Jose State University Police Department. I strongly urge your support for this ordinance that will help keep our children and our communities safe.