

City's New Unruly Gathering Ordinance **Effective May 20, 2010**

On April 20, 2010 the San Luis Obispo City Council adopted Ordinance No. 1546 (9010 Series) adding Chapter 9.13 to the San Luis Obispo Municipal Code prohibiting unruly gatherings on private property. The ordinance is designed to reduce or discourage the number of large gatherings or parties in City neighborhoods. The new Unruly Gathering Ordinance provisions take effect on May 20, 2010.

The key elements of the Unruly Gathering Ordinance include:

1. Number of Attendees: Involves 20 people or more; AND
2. The gathering involves unlawful conduct that creates a substantial disturbance in a significant segment of a neighborhood

Unlawful Conduct which results in a substantial disturbance can include such things as excessive noise, public drunkenness, serving alcohol to minors, fighting, urinating in public, crowds overflowing into yards, sidewalks, or streets, or similar unlawful behaviors.

The fines for an Unruly Gathering citation start at \$700.00 for each host of the gathering; there are no warnings and no option for community service. In addition, the Police Dept. will notify the property owner of the unruly gathering violation. The property owner may be fined \$500.00 if they allow additional unruly gathering to occur on their property.

The new Unruly Gathering Ordinance is not intended to replace the City's noise ordinance, which is quite broad and addresses various kinds of noise violations, not just those associated with loud music and parties. Rather, the proposed Unruly Gathering ordinance is intended to address gatherings on private property that have a significant impact on the surrounding neighborhood and tend to use excessive police resources to control. The ordinance allows administrative action against property owners if subsequent violations occur at their property after they have received adequate notice of an unruly gathering violation (by mail from the San Luis Obispo Police Department).

Questions & Answers about the Unruly Gathering Ordinance

What is the purpose of the Unruly Gathering ordinance?

The Unruly Gathering ordinance is intended to prevent and address gatherings on private property which create a *substantial disturbance* in a neighborhood caused by unlawful and disruptive behavior.

What constitutes an Unruly Gathering violation?

You will be in violation of the Unruly Gathering Ordinance if you host a gathering on private property that:

1. Involves 20 people or more; AND

2. The gathering involves unlawful conduct that creates a substantial disturbance in a significant segment of a neighborhood

What is meant by Unlawful Conduct?

Unlawful conduct which results in a substantial disturbance can include such things as excessive noise, public drunkenness, serving alcohol to minors, fighting, urinating in public, crowds overflowing into yards, sidewalks, or streets, or similar unlawful behaviors.

Is any gathering involving more than 20 people an Unruly Gathering under this ordinance?

No. The ordinance does not prohibit gatherings of more than 20 people, as long as the gathering doesn't result in unlawful conduct that creates a substantial disturbance in the neighborhood. In fact, many people host larger gatherings that are kept under control and do not cause a disturbance. This is done through hosts being responsible, controlling attendance and alcohol consumption, talking with the neighbors in advance, and ensuring guests are acting respectfully of the neighbors.

What are the fines for an Unruly Gathering violation?

The fine for an unruly gathering citation starts at \$700 for each host of the gathering; there are no warnings and no option for community service. In addition, the Police Department will notify the property owner of the unruly gathering violation. The property owner may be fined \$500 if they allow additional unruly gatherings to occur on their property.

Can someone get an Unruly Gathering citation and a Noise citation at the same time?

If an unruly gathering also involves a noise violation at the same time, the hosts will not receive citations for both. However, if police respond when the gathering is smaller and issue a noise citation, then have to come back later because the gathering grew and became an unruly gathering, the hosts can then receive an unruly gathering citation in addition to the earlier noise citation.

For more information, please go to www.slopd.org or call Neighborhood Services Manager Ardith Tregenza at (805) 781-7186