



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/19/2022

ITEM NO: 12

DATE: April 12, 2022
TO: Mayor and Town Council
FROM: Robert Schultz, Town Attorney
SUBJECT: Introduction and First Reading of an Ordinance Amending Chapter 18, Article III, Entitled Minors and Related to Social Host Liability for Parties at Which Underage Drinking and Drug Use Occurs

RECOMMENDATION:

Accept public comment then move for the introduction and first reading of an Ordinance (Attachment 1), by title only, amending Chapter 18, Article III, entitled Minors and Related to Social Host Liability for Parties at Which Underage Drinking and Drug Use Occurs.

BACKGROUND:

The Town Council adopted modifications to its Municipal Code provisions regarding alcohol use by minors ("social host") in 1989. Unfortunately, due to increases in the use of alcohol and drugs by Los Gatos youth, the Mayor placed this topic on the November 2, 2021 agenda to obtain direction from the Town Council. The Town Council directed the Town Attorney to work with the Youth Commission to update the Social Host Ordinance and to add this item to the Town Council Strategic Priorities and Ordinances.

DISCUSSION:

The Town Attorney's Office has worked with the Youth Commission to revise language in the Social Host Ordinance. The amendments to the Social Host Ordinance expands and holds adults responsible for underage use of intoxicants (alcohol, controlled substances and/or cannabis) in their households whether or not the adults are present. The Ordinance is designed to confront and mitigate the prevalent problem of underage use of intoxicants at private and public venues. It allows law enforcement officials to issue citations for civil fines and fees against people responsible for gatherings at which intoxicants are served to, consumed by, or in the possession of minors. Adults face a civil fine of \$1,500 for the first violation and \$3,000 for subsequent violations and imposition of all of the costs of law enforcement's response to the incident.

Reviewed by: Town Manager, Assistant Town Manager, and Police Chief

PAGE 2 OF 2

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CONCLUSION:

It is recommended that the Town Council move for the introduction and first reading of an Ordinance (Attachment 1), by title only, amending Chapter amending Chapter 18, Article III, entitled Minors and Related to Social Host Liability for Parties at Which Underage Drinking and Drug Use Occurs.

COORDINATION:

The preparation of the Ordinance was coordinated with the Los Gatos-Saratoga Union High School District, Youth Commission, Police Department and Town Manager's Office.

FISCAL IMPACT:

There will be no fiscal impact to the Town at this time.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. Draft Ordinance