



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-4488

**Type:** Staff Briefing - Without Ordinance

**In control:** Governance Committee

**On agenda:** 8/17/2016

**Title:** A Briefing and possible action on a Council Consideration Request from Councilmember Rey Saldana, District 4, on a proposed social hosting ordinance to reduce underage drinking on private property . [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CCR - Saldana - Social Host Accountability Ordinance

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Police Department

**DEPARTMENT HEAD:** William P. McManus, Chief of Police

**COUNCIL DISTRICTS IMPACTED:** Citywide

### SUBJECT:

Proposed Social Host Accountability Ordinance

### SUMMARY:

On May 6, 2016, Council member Rey Saldaña requested City Council consider an ordinance that would create a local social host ordinance “aimed at reducing underage drinking at gatherings where minors might consume alcohol”. The proposed ordinance would hold accountable adults legally responsible for property where underage drinking has occurred.

### BACKGROUND INFORMATION:

Councilmember Saldaña identifies underage drinking on private property as a threat to the public health, safety, and general welfare of the community. The proposed social host ordinance would grant local enforcement agencies the ability to abate gatherings where alcohol is being consumed on private property. It is asserted that the ordinance may “decrease the abuse of alcohol by minors, physical altercations and injuries, sexual assaults, truancy, driving under the influence of alcohol, adolescent crime, motor vehicle crashes, neighborhood

vandalism and excessive noise disturbances”.

### **Existing Enforcement Activities**

The San Antonio Police Department enforces five alcohol-related codes specific to minors which are referenced in the table below. Over the last five years, a total of 2,893 citations have been issued to minors observed violating these codes. Since 2012, there has been an overall decrease of 68% in minor alcohol-related offenses.

<b>Offense</b>	<b>Max. Penalty</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Purchase of Alcohol	\$200.00	1	1	2	0
Attempt to Purchase Alcohol	\$200.00	6	0	0	0
Consumption of Alcohol	\$500.00	416	191	190	95
Driving Under the Influence	\$500.00	52	37	47	42
Possession of Alcohol	\$500.00	674	365	350	230
		<b>1,149</b>	<b>594</b>	<b>589</b>	<b>367</b>

### **Underage Drinking & Social Hosting Ordinances**

According to the organization *Texans Standing Tall*, research indicates the following with respect to underage drinking and social hosting ordinances and laws:

- A 2012 survey by the Texas Department of State Health Services found that 63% of middle and high school students report getting alcohol at parties
- Social Hosting laws considered a “best practice” by the following organizations:
  - National Research Council
  - Institute of Medicine
  - Office of Juvenile Justice and Delinquency
- Social Hosting laws are among the most effective and recommended strategies to reduce underage drinking

### **RECOMMENDATION:**

The SAPD, in coordination with the City Attorney’s Office, will continue to review best practices and create a draft ordinance. SAPD recommends forwarding this issue to the Criminal Justice, Public Safety, and Services Committee in September for further discussion and possible action.