M E M O R A N D U M

DATE: September 3, 2009

TO: City Council Members

FROM: Russell Weeks

RE: Proposed Ordinance Amending City Code Chapter 11.14 Relating to Parties, Gatherings and Events

CC: Cindy Gust-Jenson, David Everitt, Chief Chris Burbank, Ed Rutan, Karen Hale, Frank Gray, Jennifer Bruno, Martha Stonebrook, Joyce Valdez, Sgt. Jon Wallace, Sgt. Michelle Ross, Patricia Williams

This memorandum pertains to a proposed ordinance that would amend *Salt Lake City Code* Chapter 11.14 relating to parties, gatherings and events. The proposed amendments would allow police officers to issue civil citations for service fees for responding to complaints officers find involve overly loud music, overly loud social gatherings or overly loud parties. The current ordinance requires officers to issue a written warning the first time they respond to an event and another notice if they have to respond to a location a second time within a 10-day period. The proposed amendments would allow police officers to issue civil citations the first time they respond to an overly loud event. The service fee would remain at $300 but would be applied per response. In addition, if a property is rented to tenants, property owners would be required to pay "$100 for the third visit (by police officers) and $300 for any additional visits ... during any 365-day period."

The proposed ordinance is scheduled for a briefing during the City Council's work session September 8. The work session will begin 3 p.m. in Room 326 of the City & County Building, 451 South State Street.

OPTIONS

- Adopt the proposed amendments.
- Do not adopt the proposed amendments.
- Revise the proposed amendments.

POTENTIAL MOTIONS

- I move the City Council adopt the ordinance amending City Code Chapter 11.14 relating to parties, gatherings and events.
- I move that the City Council consider the next item on the agenda.
- I move the City Council adopt the ordinance amending City Code Chapter 11.14 relating to parties, gatherings and events with the following amendments: (Council Members may propose any amendment they deem appropriate.)

KEY POINTS

- As indicated, the proposed amendments would allow police officers to issue citations for civil fees – known as services fees – for responding to requests for service about loud music, parties, gatherings or events the first time officers arrive at events and determine that the events are overly loud " noise disturbances."

- One of the proposed amendment defines "noise disturbance" as "a noise disturbance as defined in *City Code* Section 9.28.020(B) (15)." That section defines "noise disturbance" as "any sound which annoys or disturbs reasonable persons with normal sensitivities, or which injures or endangers the comfort, repose, health, hearing, peace and safety of other persons."

- The proposed amendments do not include language that mirrors the *Social Host Liability Act* passed by the 2009 Legislature and signed into law on March 24. According to the Administration, "This statute stands alone and does not need to be included with the proposed … ordinance."[i] The *Social Host Liability Act* establishes responsibility related to gatherings where people younger than age 21 are drinking alcoholic beverages. (Please see attachment.)

- According to the transmittal, the proposed amendments are based on police officers' experience enforcing *City Code* Chapter 11.14, comment by a variety of City agencies and a 2003 mail survey to 597 addresses located within 150 feet of frequent loud party sites.[ii] According to the Administration, "updated statistical data" indicates "loud party disturbances occur regularly throughout all areas of the City, resulting in significant calls for service."[iii]

ISSUES/QUESTIONS FOR CONSIDERATION

- According to the Administration, there were 5,719 loud party disturbance calls for service city-wide in 2007; 5,445 calls for service in 2008; and 2,847 calls for service between January 1 and July 15, 2009. A 2003 Police Department study included in the Administration transmittal letter said, "Loud music calls for service outnumber loud party calls more than two-to-one."[iv] Council Members might wish to ask if the ratio of loud music to loud party calls for service in 2007, 2008 and 2009 is similar to the 2003 ratio.

- A recommendation to switch from using paper forms to entering the issuance of service fees into a computer program for better tracking appears to be more administrative in nature than a legislative policy issue. However, there may be some financial cost involved because Information Management Services would need to develop an additional

computer program similar to one it developed for the Police Department's false alarm program.[v]

- Council Members may wish to ask how police officers would address complaints they find are unfounded.

- Under the current ordinance, the use of the service fees – also known as Special Security Assignments – to help reduce the number of calls for service for loud parties or loud music appears to have had a minimal effect. According to the Police Department, "In the past seven years, only three SSA's have qualified for enforcement of fines from the SLC Justice Court."[vi]

- According to the Administration transmittal the Police Department recommends using, the *Social Host Liability Act* separately from the proposed amendments to City Code Chapter 11.14, "thereby giving law enforcement and the City two useful tools to crack down on these significant breaches of the public peace."[vii]

DISCUSSION/BACKGROUND

Salt Lake City has long sought to address complaints about overly loud parties, and overly loud music. The City Council last amended *City Code* Chapter 11.14 in 2001, in part because the previous ordinance imposed service fees if an officer responded to a loud party twice within a 24-hour period.[viii] Lengthening the time between police officer responses appears to have been an attempt to increase the likelihood that hosts or organizers of overly loud events could be charged service fees for repeated police responses to calls for police service.

However, the May 2005 Police Department *Loud Party/Music Summary and Recommendation* indicates several problems have complicated enforcing the ordinance. According to the study:

Chapter 11.14 requires written notice the first time an officer determines that a party or event meet. If an officer or officers respond a second time within 10 days, a second written notice is issued. In each instance a copy of the notice is forwarded to the Police Department Alarm Unit. However in practice, "Rarely are two notices (same location/within ten days) received in the alarm unit, and without both notices the Salt Lake City Justice Court is unable to issue a service fee."[ix]

Also in practice, officers may orally warn people at an event that is a response to a complaint about a loud noise or party and issue a written warning the second time they respond to the event, or an officer may respond to an address without knowing that an officer had responded to the same address previously.

The 2005 study recommends that Information Management Services develop a computer program that would allow officers to enter a numerical code that can be sorted and tracked by address to determine if an address has more than one violation.

Perhaps the major proposed amendment to Chapter 11.14 is the repeal of the subsequent-response clauses in the current ordinance. One clause (11.14.020) addresses initial responses to complaints about parties, gatherings or events. Another clause (11.14.030) addresses subsequent responses to a location within 10 days of an initial police officer response.

Besides repealing sections 11.14.020 and 11.14.030, another proposed amendment says, "A services fee is owed for each time a police officer responds to a call or otherwise arrives at a premises to deal with a party, gathering, or event."

As indicated earlier, the Police Department and two administrations have sought to address issues involving loud music and loud parties for several years. Again, many of the proposed amendments stem from a 2003 written survey of residents citywide. The survey was mailed in October 2003 to 597 addresses located within 150 feet of places determined to be "frequent loud party sites." One hundred forty (23 percent) surveys were returned.[x]

According to the survey: 41 percent indicated that loud parties were an on-going problem in their neighborhoods; 44 percent indicated that between one and three loud parties occurred in their neighborhoods with in six-month time period; and 45 percent said police response did not curb future loud parties. It might be noted that 43 percent of those who returned surveys indicated that police response to loud parties should remain a lower priority among calls for police service.

Again, it might be noted that a study of police officer responses in 2003 indicated that of 5,448 calls for service about loud music or loud parties, 3,713 calls (68 percent) were complaints about loud music and 1,735 calls (32 percent) were complaints about loud parties. Council Members might wish to ask if the ratio for calls for service in 2007, 2008 and 2009 is the same as in 2003. Council Members also may wish to explore what the difference is between a complaint about loud music and a complaint about a loud party.

The 2003 study indicated that houses were the most frequent locations of loud music or parties followed by multifamily housing ranging from duplexes to condominiums to apartments. Automobile stereos, clubs and street gatherings also generated some complaints.

In 2003, City Council District 1 (police beat 131) and City Council District 2 (police beat 151) had the most calls for service about loud music or parties. They were followed by calls from in City Council District 3 (police beat 211), City Council District 5 (police beat 232) and City Council District 7 (police beat 236). The pattern appears to have held in 2007, 2008, and 2009, according to graphs in the Administration transmittal.

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[i] Administration Transmittal; July 21, 2009; Page 2.
[ii] *Loud Party/Music Summary and Recommendation*, Salt Lake City Police Department, May 2005, Page 2.
[iii] Administration Transmittal; July 21, 2009; Page 2.
[iv] *Loud Party/Music Summary and Recommendation*, Salt Lake City Police Department, May 2005, Page 3.
[v] Ibid. Page 8.
[vi] Ibid. Page 1.
[vii] Administration Transmittal; July 21, 2009, Page 2.
[viii] Ibid. Page 1.
[ix] *Loud Party/Music Summary and Recommendation*, Salt Lake City Police Department, May 2005, Page 1.
[x] Ibid. Pages 2 and 3.

H.B. 313 Enrolled

SOCIAL HOST LIABILITY ACT

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Eric K. Hutchings

Senate Sponsor: Karen Mayne

LONG TITLE

General Description:

This bill enacts the Social Host Liability Act.

Highlighted Provisions:

This bill:

. defines terms;

. establishes responsibility related to an underage drinking gathering;

. makes certain conduct subject to a citation and civil penalties, including recovery of response costs;

. allows for the reservation of legal options and imposition of ordinances; and

. provides for appeals.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-6-1601, Utah Code Annotated 1953

78B-6-1602, Utah Code Annotated 1953

78B-6-1603, Utah Code Annotated 1953

78B-6-1604, Utah Code Annotated 1953

78B-6-1605, Utah Code Annotated 1953

78B-6-1606, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-6-1601** is enacted to read:

Part 16. Social Host Liability Act

78B-6-1601. **Title.**

This part is known as the "Social Host Liability Act."

Section 2. Section **78B-6-1602** is enacted to read:

78B-6-1602. **Definitions.**

As used in this part:

(1) "Alcoholic beverage" is as defined in Section 32A-1-105 .

(2) "Emergency response provider" means an individual providing services on behalf of:

(a) a law enforcement agency;

(b) a fire suppression agency; or

(c) another agency or a political subdivision of the state.

(3) "Law enforcement officer" is as defined in Section 53-13-103 .

(4) "Local entity" means the political subdivision for which an emergency response provider provides emergency services.

(5) "Minor" means an individual under the age of 18 years old.

(6) (a) Subject to Subsection (6)(b), "response costs" means the actual costs directly associated with an emergency response provider responding to, remaining at, or otherwise dealing with an underage drinking gathering, including:

(i) the costs of medical treatment to or for an emergency response provider injured because of an activity described in this Subsection (6)(a); and

(ii) the cost of repairing damage to equipment or property of a local entity that is attributable to an activity described in this Subsection (6)(a).

(b) "Response costs" does not include:

(i) the salary and benefits of an emergency response provider for the amount of time spent responding to, remaining at, or otherwise dealing with an underage drinking gathering; or

(ii) the administrative costs attributable to an activity described in Subsection (6)(b)(i).

(7) "Underage drinking gathering" means a gathering of two or more individuals:

(a) at which an individual knowingly serves, aids in the service of, or allows the service of an alcoholic beverage to an underage person; and

(b) to which an emergency response provider is required to respond, except for a response related solely to providing medical care at the location of the gathering.

(8) "Underage person" means an individual under the age of 21 years old.

Section 3. Section **78B-6-1603** is enacted to read:

78B-6-1603. **Citation -- Civil penalty.**

(1) An individual may not knowingly conduct, aid, or allow an underage drinking gathering.

(2) A law enforcement officer may issue a written citation to an individual who violates Subsection (1).

(3) An individual issued a citation under this section is subject to a civil penalty equal to the sum of:

(a) (i) a fine of $250 for a first citation; or

(ii) double the fine imposed for an immediately preceding citation for each subsequent citation; and

(b) the response costs of the underage drinking gathering, not to exceed $1,000.

(4) Two or more individuals who violate Subsection (1) for the same underage drinking gathering are jointly and severally liable under this section for response costs attributable to the underage drinking gathering.

(5) An individual who violates Subsection (1) is liable under this part regardless of whether the individual is present at an underage drinking gathering.

(6) If a minor is issued a citation under this section, the minor's parent or legal guardian may not be held liable for an amount of civil penalty imposed on the minor as a result of the minor's citation.

Section 4. Section **78B-6-1604** is enacted to read:

***78B-6-1604.* Collection of civil penalty.**

(1) A local entity shall mail a notice of the civil penalty amount for which an individual is liable by first-class or certified mail within 14 days of the day after which a citation is issued under Section 78B-6-1603 . The notice shall contain the following information:

(a) the name of the one or more individuals being held liable for the payment of the civil penalty;

(b) the address of the location where the underage drinking gathering occurs;

(c) the date and time of the response;

(d) the name of an emergency service provider who responds to the underage drinking gathering; and

(e) an itemized list of the response costs for which the one or more individuals are liable.

(2) (a) An individual liable under Section 78B-6-1603 shall remit payment of a civil penalty to the local entity that provides the notice required by Subsection (1) within 90 days of the date on which the notice is sent.

(b) Notwithstanding Subsection (2)(a), a local entity may:

(i) reduce the amount of a civil penalty; or

(ii) negotiate a payment schedule for a civil penalty.

(3) (a) A civil penalty imposed under this section may be appealed as provided in Section 78B-6-1606 .

(b) Notwithstanding Subsection (4), the payment of a civil payment is stayed upon an appeal made pursuant to Section 78B-6-1606 .

(4) (a) The amount of a civil penalty owed under this part is considered a debt owed to the local entity by the individual held liable under this part for an underage drinking gathering.

(b) After the notice required by Subsection (1), an individual owing a civil penalty is liable in a civil action brought in the name of the local entity for recovery of:

(i) the civil penalty; and

(ii) reasonable attorney fees.

Section 5. Section **78B-6-1605** is enacted to read:

***78B-6-1605.* Reservation of legal options -- Ordinances.**

(1) (a) This part may not be construed as a waiver by a local entity of a right to seek reimbursement for actual costs of response services through another legal remedy or procedure.

(b) The procedure provided for in this part is in addition to any other civil or criminal statute.

(c) This part does not limit the authority of a law enforcement officer or private citizen to make an arrest for a criminal offense arising out of conduct regulated by this part.

(2) A local entity may impose by ordinance a stricter provision related to the conduct of an underage drinking gathering, including the imposition of a different civil penalty amount, except that the ordinance shall provide that a civil penalty for an underage drinking gathering may only be imposed by a local entity for which an emergency response provider provides services at the underage drinking gathering.

Section 6. Section **78B-6-1606** is enacted to read:

78B-6-1606. **Appeals.**

An individual upon whom is imposed a civil penalty under this part may appeal the imposition of the civil penalty pursuant to the procedures used by the local entity for appealing a traffic citation or a violation of an ordinance.

[Bill Documents][Bills Directory]

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SALT LAKE CITY CORPORATION

POLICE DEPARTMENT

CHRIS BURBANK
CHIEF OF POLICE

RALPH BECKER
MAYOR

CITY COUNCIL TRANSMITTAL

RECEIVED
JUL 22 2009
By

David Everitt, Chief of Staff

Date Received:
Date sent to Council: 08/07/2009

TO: Salt Lake City Council
Carlton J. Christensen, Chair

DATE: July 21, 2009

FROM: Chief Chris Burbank by C Scott Atkinson

SUBJECT: **Amending Chapter 11.14 Parties, Gatherings or Events**

STAFF CONTACT: Sergeant Jon Wallace, Pioneer Patrol
office 799-4611, cell 330-3704
Sergeant Michelle Ross, Community Intelligence Unit
office 799-3039, cell 330-5065

DOCUMENT TYPE: Salt Lake City Ordinance **Chapter 11.14 PARTIES, GATHERINGS OR EVENTS**

RECOMMENDATION: Amending and adopting the proposed changes to the Loud Party Ordinance will provide the Police Department and the City a more efficient tool to resolve persistent neighborhood problems related to loud parties and gatherings.

BUDGET IMPACT: No additional funds requested.

BACKGROUND/DISCUSSION: The Police Department is striving to solve problems existing within our community. We have recognized an ordinance that, if amended, would allow the Police Department and the City to resolve ongoing situations faster.

The current ordinance requires officers to respond two (2) times in a ten (10) day period and serve notice to the same person each time before any civil penalties can be assessed. The current ordinance has failed to provide an adequate mechanism to address the thousands of calls for service made by citizens calling to report loud party disturbances. It is recommended the existing ordinance be amended allowing officers to utilize discretion and allowing the City to impose civil penalties on the first visit to a problem.

The Police Department also recommends a change to the tracking of Special Security Assignments. Currently this is done with paper documents that considerably slow the process. It is recommended a computerized system be utilized allowing the Police Department, the Courts and other City entities access and involvement in the process. Additionally proposed ordinance changes would also hold landlords accountable for problem renters.

Concerns have been raised about the need for police officers to have decibel meters for use in the enforcement of the amended ordinance. Decibel meters are not required in order for the proposed ordinance changes to be enforced because the ordinance relies on the definition of noise set forth in 9.28.20(b)(15) ("Noise Disturbance: Any sound which annoys or disturbs reasonable persons with normal sensitivities, or which injures or endangers the comfort, repose, health, hearing, peace and safety of other persons).

Questions have also been raised as to whether the proposed ordinance should include language to mirror the recently enacted Utah statute governing social host liability. Passed during the 2009 General Legislative Session, Utah Code Ann. § 78B-6-1601, et. seq., "Social Host Liability Act" provides a significant tool for municipal law enforcement to use to cite social hosts who allow underage drinking to occur on their premises. This statute stands alone and does not need to be included with the proposed loud party disturbance ordinance. Unlike most state statutes, the Social Host Liability Act allows law enforcement officers to issue civil citations without limiting their ability to make an arrest for a criminal offense arising out of conduct regulated by the statute. The Social Host Liability Act establishes a civil penalty in the amount of $250 for the first citation and double the fine imposed for an immediately preceding citation for each subsequent citation. The Act also allows the City to recover response costs, not to exceed $1000.

To adequately address the social host issue, the Social Host Liability Act would have to be reiterated, verbatim, into the proposed loud party disturbances ordinance. This would be a redundancy that could create confusion and also could lead to repeated amendments of the ordinance in the event that the Utah statute is changed or modified. Therefore, the Police Department recommends that the proposed loud party disturbance ordinance move forward, separate from the Social Host Liability Act, thereby giving law enforcement and the City two useful tools to crack down on these significant breaches of the public peace.

PUBLIC PROCESS: The development of the proposed ordinance change has involved numerous entities. The attached report documents background information as well as a public survey. Although the report was written in 2005, the information contained therein is pertinent today. Additionally, the updated statistical data that is also attached confirms that loud party disturbances occur regularly throughout all areas of the City, resulting in significant calls for service. There were 5719 loud party disturbance calls in 2007; 5445 loud party disturbance calls for service in 2008; and 2847 loud party disturbance calls for service have been made between January 1 and July 15, 2009.

A Zone (Beat) Map is attached as well as the Council District Map for ease of reference when looking at the attached statistics which are listed by patrol zones rather than by District number.

The Police Department has continued to work with Community Liaisons from both the City Council and the Office of the Mayor to address loud party concerns of constituents. The loud party issue and the need for an amendment of the ordinance have only increased since the initial report was generated.

Attachments:

Ordinance – redlined
Ordinance – clean copy
May 2005 Loud Party/Music Summary and Recommendation
Loud Party and Disturbance Calls for Service – July 12, 2009
Zone Map
Council District Map

SALT LAKE CITY ORDINANCE
No. _____ of 2009
(Parties, Gatherings, and Events)

An Ordinance amending Chapter 11.14 of the Salt Lake City Code, relating to parties, gatherings, and events.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 11.14 of the Salt Lake City Code, relating to parties, gatherings, and events be, and the same hereby is, amended as follows:

Chapter 11.14

PARTIES, GATHERINGS OR EVENTS

11.14.010 Definitions:

The following words, phrases and terms as used in this chapter shall have the meaning for this chapter as indicated below:

A. "Host" means:

1. The person having an ownership or leasehold interest in the premises; or

2. A person who resides at or occupies the premises in any capacity, other than as a mere guest at the party, gathering or event; or

3. The person in charge of the premises; or

4. The person who organized the party, gathering or event; or

5. The person who gave permission to hold the party, gathering or event on the premises;

6. If the party is hosted by an organization, either incorporated or unincorporated, the term "host" includes the officers of the organization;

7. If the host is a minor under eighteen (18) years of age, the term "host" includes the parent or parents or legal guardians of the minor, whether or not they are present at the premises.

B. "Noise disturbance" means a noise disturbance as defined in Section 9.28.020(B)(15) of this code.

C. "Party, gathering, or event" means three (3) or more people assembled for a social activity where: (i) alcoholic beverages have been or are being consumed contrary to law, (ii) substances regulated by the Utah controlled substances act are used by any person, or (iii) the noise from the party, gathering, or event makes a noise disturbance.

D. "Premises" means the property at which a party, gathering, or event occurs.

E. "Services fee" means the fee imposed by this chapter, calculated to cover, without limitation, related police department costs and reasonable attorney fees.

11.14.020 Services Fees-Special Security Assignment:

A. Any person hosting a party, gathering, or event within the City may be liable for services fees. Any services fee may be in addition to such other costs and penalties as may be provided in this code.

B. A services fee is owed for each time a police officer responds to a call or otherwise arrives at a premises to deal with a party, gathering, or event. The amount of the fees and the persons owing the fees are as follows:

(i) For non-rental property, the owner of the premises shall owe $300 for each visit of one of more police officers;

(ii) For rental property, the renters shall owe $300 for each visit of one or more police officers; in addition, the owner of the premises shall owe $100 for the third visit and $300 for any additional visits of one or more police officers during any 365-day period.

C. All services fees assessed under this chapter shall be due and payable within three (3) business days after the date a written notice of the services fee is sent to the person against whom the services fee is assessed. Any services fee paid within thirty (30) days after the due date shall be reduced by fifty ($50) dollars. Any services fee paid more than thirty (30) days but less than sixty (60) days after the due date shall be reduced by twenty-five ($25) dollars. Any services fee paid more than sixty (60) days after the due date shall not be reduced. If any services fee is not paid within ninety (90) days after the due date, the City may use such lawful means as are available to collect such services fee. If the City files an action in court to recover such services fee, the City shall be entitled to recovery of its court costs, pre-judgment interest, and attorney's fees in addition to the services fee due and owing.

11.14.030 Recovery Of Actual Costs:

In addition to the services fees described in section 11.14.020 of this chapter, the City reserves the right to seek reimbursement for actual costs that exceed the stated services fee, through other legal theories, remedies, or procedures.

11.14.040 This Chapter Not To Preclude Other Appropriate Action:

Nothing in this chapter shall be construed to prevent the arrest or citation of violators of the state penal code or other regulations, ordinances, or laws.

11.14.050 Administrative Appeals:

A. A Salt Lake City justice court shall consider matters relating to services fees.

B. Any person having received notice of the assessment of a services fee may appear before the Salt Lake City justice court and present and contest the alleged violation upon which the services fee was based.

C. If the Salt Lake City justice court finds that no violation occurred and one or more of the defenses set forth in this section is applicable, the justice court may dismiss the services fee notice, release the defendant from liability for the services fee, or modify the services fee as justice and equity may require. Such defenses are:

1. Wrong name and address on the services fee notice;

2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property;

3. Such other mitigating circumstances as may be shown by the appellant.

D. If the Salt Lake City justice court finds that a services fee was properly imposed and no applicable defense exists, the justice court may, in the interest of justice and on behalf of the City, enter into an agreement for the timely or periodic payment of the services fee.

SECTION 2. That this ordinance shall take effect immediately upon the date of its first publication.

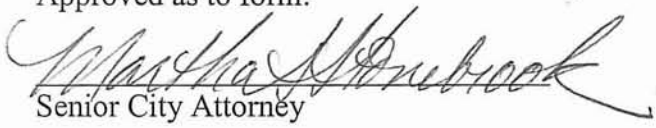
Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2009.

_____
CHAIRPERSON

ATTEST:

_____
CITY RECORDER

Approved as to form:



Senior City Attorney

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER

(SEAL)

Bill No. _____ of 2009.
Published: _____.

SALT LAKE CITY ORDINANCE
No. _____ of 20079
(Parties, Gatherings, and Events)

An Ordinance amending Chapter 11.14 of the Salt Lake City Code, relating to parties, gatherings, and events. ~~AN ORDINANCE AMENDING CHAPTER 11.14 OF THE SALT LAKE CITY CODE, RELATING TO PARTIES, GATHERINGS, AND EVENTS.~~

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 11.14 of the Salt Lake City Code, relating to parties, gatherings, and events be, and the same hereby is, amended as follows:

Chapter 11.14

PARTIES, GATHERINGS OR EVENTS

11.14.010 Definitions:

The following words, phrases and terms as used in this chapter shall have the meaning for this chapter as indicated below:

~~A. "Party, gathering or event" means three (3) or more people who have assembled or are assembling for a social activity where alcoholic beverages have been or are being consumed contrary to law, or substances regulated by the Utah controlled substances act are used by any person at the party, or where the noise from the party, gathering or event makes a noise disturbance prohibited by section 9.28.040 of this code.~~

~~B~~A. "Host" means:

1. The person having an ownership or leasehold interest in the premises ~~where the party, gathering or event is located~~; ~~and/~~or

2. A person who resides at ~~the location~~ or occupies the premises in any capacity, other than as a mere guest at ~~whether for personal or business purposes, the property where~~ the party, gathering or event ~~takes place~~; ~~and/~~or

3. The person in charge of the premises; ~~and/~~or

4. The person who organized the party, gathering or event; ~~and/~~or

5. The person who gave permission to hold the party, gathering or event on the premises;

6. If the party is hosted by an organization, either incorporated or unincorporated, the term "host" includes the officers of the organization;~~.~~

7. ~~In the event~~ If the host is a minor under eighteen (18) years of age, the term "host" includes the parent or parents or legal guardians of the minor, whether or not they are present at the ~~site~~premises.

~~C~~B. "Noise disturbance" means a noise disturbance as defined in Section 9.28.020(B)(15) of this code.

C. "Party, gathering, or event" means three (3) or more people assembled for a social activity where: (i) alcoholic beverages have been or are being consumed contrary to law, (ii) substances regulated by the Utah controlled substances act are used by any person, or (iii) the noise from the party, gathering, or event makes a noise disturbance.

D. "Premises" means the property at which a party, gathering, or event occurs.

~~C~~E. "Services fee" means the fee imposed by this chapter, calculated to cover, without limitation, related police department costs and ~~costs incurred by the city which include, but are not limited to, salaries of police officers while responding to or remaining~~

~~at the party, gathering or event; the pro rata cost of equipment; the cost of repairing city equipment and property damaged while responding to the gathering; the cost of any medical treatment or disability, sick leave or other related costs of police officers injured while responding to the party or gathering, regardless of fault; costs of collection and the cost of~~ reasonable attorney fees.

~~D. "Special security assignment" means the assignment of police officers, services and equipment during a second or subsequent response to the party, gathering or event after the distribution of a written notice to the host or person(s) who are identified as being in charge of the party in absence of the host, that a fee may be imposed for costs incurred by the city for any subsequent police response.~~

11.14.0~~15~~20 Service~~s~~ Fees-Special Security Assignment:

A. Any person hosting a party, gathering, or event ~~as provided under this chapter,~~ within the e~~C~~ity~~, shall~~may be liable for service~~s~~ fees. Any service~~s~~ fee ~~herein~~ may be in addition to such other costs and penalties as may be provided in this code.

B. A services fee is owed for each time a police officer responds to a call or otherwise arrives at a premises to deal with a party, gathering, or event. The amount of the fees and the persons owing the fees are as follows:

(i) For non-rental property, the owner of the premises shall owe $300 for each visit of one of more police officers;

(ii) For rental property, the renters shall owe $300 for each visit of one or more police officers; in addition, the owner of the premises shall owe $100 for the third visit and $300 for any additional visits of one or more police officers ~~[~~during any 365-day period~~]~~.

C. All services fees assessed under this chapter shall be due and payable within three (3) business days after the date a written notice of the services fee is sent to the person against whom the services fee is assessed. Any services fee paid within thirty (30) days after~~of~~ the due date shall be reduced by fifty ($50) dollars. Any services fee paid ~~after~~ more than thirty (30) days ~~and within~~ but less than sixty (60) days ~~of~~after the due date shall be reduced by twenty-five ($25) dollars. Any services fee paid ~~after~~ more than sixty (60) days ~~from~~ after the due date shall not be reduced. If any services fee is not paid within ninety (90) days ~~of~~after the due date, the City may use such lawful means as are available to collect such services fee. If the City files an action in court to recover such services fee, the City shall be entitled to recovery of its court costs, pre-judgment interests, and attorney's fees in addition to the services fee due and owing.~~Service fees shall be imposed as follows:~~

~~Three hundred dollars ($300.00) plus sixty dollars ($60.00) per officer per hour;~~

~~Seventy five dollars ($75.00) per sergeant per hour; and~~

~~One hundred dollars ($100.00) per lieutenant per hour.~~

~~**11.14.020 Initial Police Responses To Parties, Gatherings Or Events:**~~

~~When any police officer responds to any party, gathering or event in response to allegations that activities or noise may be in violation of the law, and if there is probable cause to believe the party, gathering or event is in violation of the law, the police officer, in addition to any other action the situation requires, shall issue a written notice to the host. The notice shall inform the host(s) that a subsequent response to that same location or address, within ten (10) days, shall be deemed a special security assignment and that the host(s) may be liable for the "services fee" as defined in this chapter.~~

~~11.14.030 Subsequent Police Responses To Parties, Gatherings Or Events Liability:~~

~~If, after a written notice is issued pursuant to section 11.14.020 of this chapter, there is a subsequent police response to the same location or address within ten (10) days, such response shall be deemed a special security assignment. The host(s), as defined in this chapter, shall be jointly and severally liable for the "services fee", as defined in this chapter. The officer shall issue a second notice by giving it to the host(s) or by leaving it in a conspicuous place on the premises where the party is being held if the host(s) is/are not available.~~

11.14.0430 Recovery Of Actual Costs:

In addition to the services fees ~~contained~~described in section 11.14.0~~1~~520 of this chapter, the e~~C~~ity reserves the right to seek reimbursement for actual costs that exceed the stated services fee, through other legal theories, remedies, or procedures.

~~11.14.050 Costs Collection:~~

~~The chief of police shall notify the city treasurer in writing of the performance of a special security assignment, of the name and address of the responsible person(s), the date and time of the incident, services performed, costs thereof and such other information as may be required. The city treasurer shall thereafter take action to collect the amount due.~~

11.14.0640 This Chapter Not To Preclude Other Appropriate Action:

Nothing in this chapter shall be construed to prevent the arrest ~~and/~~or citation of violators of the state penal code or other regulations, ordinances, or laws~~, either in the first visit or subsequent visits~~.

11.14.0750 Administrative Appeals:

A. A Salt Lake City justice court ~~judge~~ shall consider matters relating to services fees~~the "special security assignments"~~.

B. Any person having received notice of the assessment of a ~~"special security assignment"~~services fee may appear before the Salt Lake City justice court and present and contest ~~such~~ the alleged violation upon which the services fee was based~~, in accordance with the procedures set forth in chapter 2.75 of this code~~.

C. If the Salt Lake City justice court finds that no violation occurred and one or more of the defenses set forth in this section is applicable, the justice court may dismiss the services fee notice, release the defendant from liability for the services fee, or modify the services fee as justice and equity may require. Such defenses are:

~~The burden to prove any defense to reimburse the city for the service shall be upon the person raising such defense.~~

~~D. Such defenses are:~~

1. Wrong name and address on the services fee~~special security assignment~~ notice;

2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property;

3. ~~The "special security assignment" notice was not properly completed by the officer in a material and substantial way that caused prejudice to appellant;~~

~~4. The "special security assignment" notice was not hand delivered or posted in a conspicuous place, which caused material prejudice to the appellant; or~~

~~5.~~ Such other mitigating circumstances~~,~~ as may be shown by the appellant.

~~E~~D. If the Salt Lake City ~~J~~justice ~~C~~court finds that a services fee was properly imposed and no applicable defense exists, the ~~J~~justice ~~C~~court may, in the interest of

justice and on behalf of the eCity, enter into an agreement for the timely or periodic payment of the services fee.

SECTION 2. That this ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of

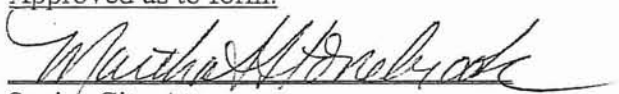
_____, 20079.

_____
CHAIRPERSON

ATTEST:

_____
~~CHIEF DEPUTY~~ CITY RECORDER

Approved as to form:



Senior City Attorney

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
~~CHIEF DEPUTY~~ CITY RECORDER

(SEAL)

Bill No. _____ of 20079.
Published: _____.

~~I:\Ordinance 07\Amending 11.14 parties, gatherings - 5-17-07.doc~~

May 2005

Salt Lake City Police Department

Loud Party/Music Summary and Recommendation

History

In 2001, Chapter 11.14 governing Parties, Gatherings and Events was amended. This ordinance allows for service fees to be imposed upon the host of a party when a police officer responded to the same location twice within ten days and conditions of alcohol and noise existed. The previous ordinance imposed service fees if an officer responded to a loud party twice within a twenty-four hour period.

Effectiveness of Special Security Assignments

The effectiveness of the Special Security Assignment (SSA) has been minimal and it appears that its only benefit is to serve as a warning notice to the party host, but has no enforcement. In the past seven years, only **three** SSA's have qualified for enforcement of fines from the SLC Justice Court.

Several problems complicate enforcement of the SSA. Currently two notices are required to be served on the party host within a ten day period. The SSA form is printed on NCR duplicate paper. The bottom copy is to be left with the party host and the top copy forwarded to the SLCPD Alarm Unit. Rarely are two notices (same location/within ten days) received in the alarm unit and without both notices the Salt Lake City Justice Court is unable to issue a service fee.

Tracking the ten day "party" period in the Computer Aided Dispatch (CAD) is seldom used. Many officers issue a verbal warning during the first party/noise response, then a SAA may be issued on the second response. Or

an officer may issue a SSA and a different responding officer on the next occurrence has no knowledge of the first SSA being issued at this location.

The definition of "Service Fee" in the ordinance states that it may include salaries of police officers, pro rated cost of equipment, cost of repairing city equipment and property damaged, cost of any medical treatment or disability and sick leave. These types of itemized "service fees" makes it extremely difficult to ascertain the exact cost and pursue collection.

The SSA is cumbersome, inefficient, lacks computerization and is unable to be enforced, has not been enforced in at least the last eight years and is unlikely to be enforced in its present form in the future.

Survey to Citizens

A survey was mailed out in October, 2003 to 597 addresses located within 150 feet of frequent loud party sites.

The following responses were indicated on the survey:

- 41% felt that loud parties are an ongoing problem in their neighborhood
- 44% have had 1-3 loud parties in their neighborhood in the last six months
- Common factors to these parties are large groups of people, alcohol, loud talking and music, underage drinking, and numerous parked cars.
- 44% didn't report loud parties to police occurring in the last six months
- 46% said police response "somewhat" caused cessation of the loud party
- 45% said police response did not curb future loud parties.
- 43% felt that warnings and fines would be beneficial to deter loud parties.

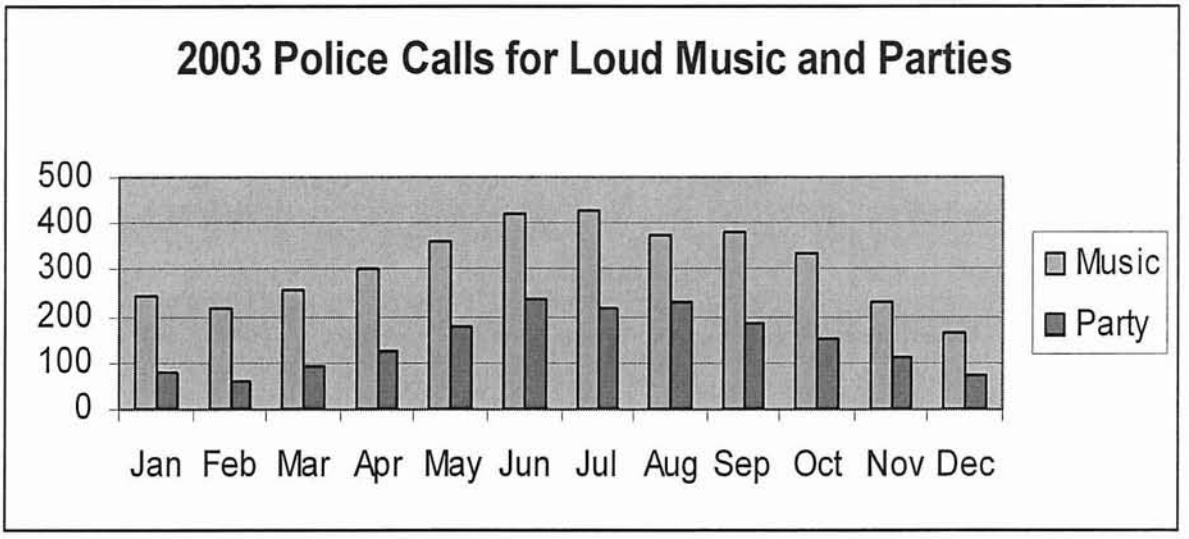
- 43% felt that police response priority to loud parties should be a priority 4 or the lowest priority.

Total mailings – 597
Total returns – 140 - 23% returned

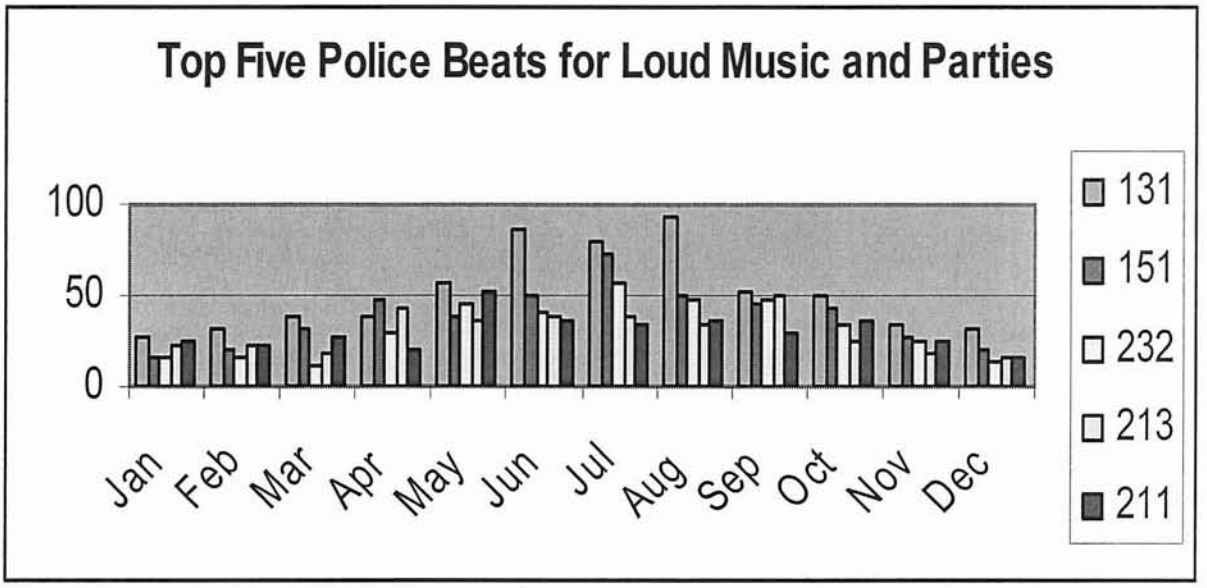
Findings from 2003 Loud Party and Music Responses

Loud music calls (3713) for service outnumbered the loud party calls (1735) more than two to one. The study proved that loud parties and music were most prevalent during the months of May – September and on Friday and Saturday nights and early Sunday mornings.

Graph 1.



District One (police beat 131) had 25% more loud parties and music calls that any other area in the city followed by District Two (police beat 151). See graph 2.

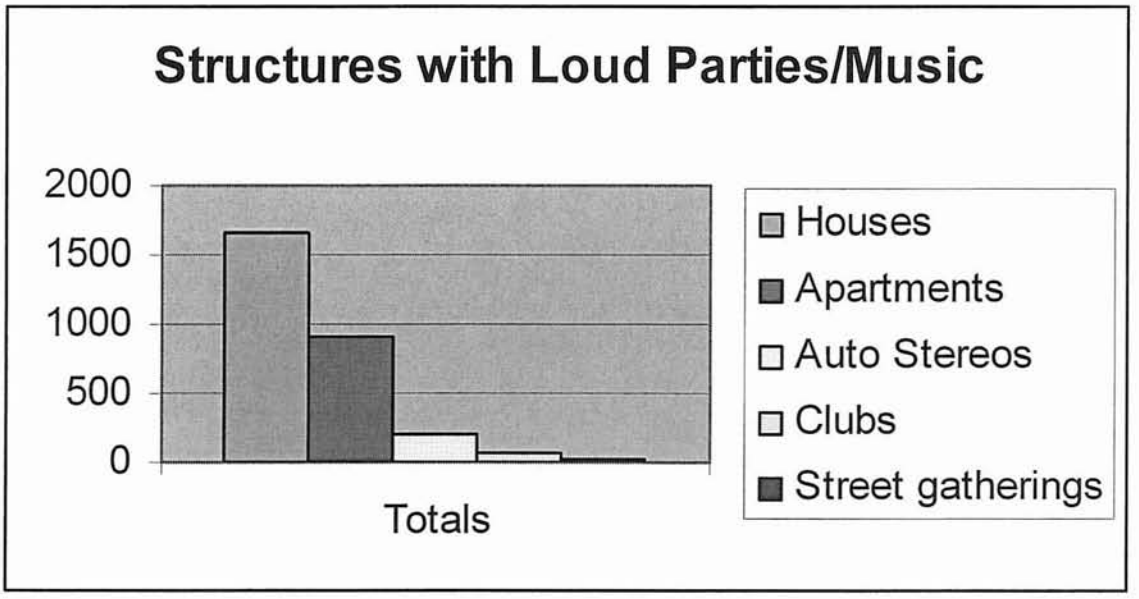


Graph 2.

Parties and Loud Music Locations

Houses held the most frequent of occurrences of loud parties/music, then apartments (which included condos and duplexes), auto stereos and clubs as indicated in the graph 3.

Graph 3.



Summary

Special Security Assignments have proven ineffective in curbing loud parties/music or in the collection of service fines. Officers have the ability to issue citations for noise violations and yet few used this option. When questioned, several officers stated that a judge requires a complainant, such as a neighbor next door to the loud party, to testify that their personal peace has been disturbed. An officers' "peace" is not disturbed when responding to a loud party/music call. Many complainants/neighbors did not wish to testify in court due to fear of retaliation from the defendant. The results from the survey mailed in October 2003 to 597 addresses located within 150 feet of frequent loud party sites validated this. Two gentlemen in the survey reported,

"I have not called the police for fear of retribution,"

and

"I close all my windows and request them to stop, but frankly, I think it's too risky for a single, middle-aged man to confront a dozen or more drunken kids." (2003 survey attached)

Change is hard and the tendency to fall back on the old adage, "But, that is the way we have always done it, is human nature." In the case of the Special Security Assignments, the time is past due for a change of direction, elimination of the paper trail and a modernization to computerized billing.

Recommendation

In the 2003 survey, 43% of the survey respondents recommended fines for loud parties and music. The SSA's purpose was to issue fines, but fails, mainly due to lack of computerization, the cumbersome paper trail and inconsistency of tracking parties/music.

It also appeared from the survey that many (43%) of the citizens responding understand that a loud party is a low priority and other calls for service must rank as a higher priority.

After a year long study of this problem, here are the recommendations:

Officer Training

- Officers continue to respond to loud party/music calls as a priority four. They report back to police communications to give a final disposition, name the party host and/or home owner and a correct address on the complaint log. Many complainants calling police communications relay the address as the "yellow house on the corner". For accurate computer billing it will be imperative that the correct address and name of the party host be listed.

- The officer would close out a loud party/music complaint log with the 5399-30 final disposition. The standard of measuring a loud party/music call would be "plainly discernable such as to the extent to interfere with the comfortable enjoyment of life or property by the entire community or neighborhood and is plainly audible at the property boundary of the source." Several courts have upheld the plainly audible standard for a noise ordinance in the face of legal challenges.[1] Officers will still have the option of issuing a criminal citation for party/loud music offenders. The City Prosecutors office states that **both** criminal and civil sanctions could **not** be used in the same incidence as this would result in double jeopardy.

  In researching the 2003 calls, it was discovered that a few calls were the result of an on-going hostility between two neighbors and one neighbor was seeking revenge. Officers responded to a few calls to discover that a small gathering of people were enjoying a dinner on their deck. Obviously, this would not rise to the occasion of the 5399-30 loud party/music criteria.

- A computer program (operating similarly to the Alarm Unit program) would search the Computer Aided Dispatch (CAD) every 24 hours searching for the 5399-30 code and placing it in the alarm unit queue. Staff in the alarm unit would research the case, determine it to be a loud party/music billable call and transfer the information to the

[1] Scott, Michael S. "Loud Car Stereos." Published by the U.S. Department of Justice and the Office of Community Oriented Policing Services. Problem-Oriented Guides for Police Series No. 7.

Justice Court. The Treasury computer program will print a service fee collection letter and mail it to the party host.

Services Fees

- Any person hosting a party, gathering or event within the city may be liable for services fees. The recommendation of services fees each time one or more police officers respond to a call are as follows:

  - **For non-rental property**
    - owner of the premises shall owe $300 for each visit made by one or more police officers.

  - **For rental property**
    - **renters** shall owe$300 for each visit made by one or more police officers
    - **owner** of the premises shall owe $100 for the third visit and $300 for any additional visits made by one or more police officers during any 365-day period.

- Services Fees shall be due and payable within three (3) business days after the date a written notice of the services fee is sent to the person against whom the services fee is assessed.

  - **If paid within 30 days** after the due date, the services fee shall be reduced by fifty ($50) dollars.

  - **If paid more than 30 days but less than 60 days** after the due date, the services fee shall be reduced by twenty-five ($25) dollars.

  - **If paid more than sixty (60) days** after the due date, the services fee shall not be reduced.

  - **If any services fee is not paid within ninety (90) days** after the due date, the City may use such lawful means as are available to collect overdue services fees.

  - **If the City files an action to recover services fees**, the City shall be entitled to recovery of its court costs, pre-judgment

interest and attorney's fees, in addition to the services fee(s) due and owing.

Landlords will be held accountable under proposed ordinance

In the 2003 survey, one of the respondents reported that:

"We call the landlords to remind them that they have a responsibility to the neighborhood in whom they rent to. And every time there is a party, we call them and then alert them that we will call the police. We have given landlord's phone number to all responsible residents on the street and have listed the procedure to follow in reporting a disturbance/loud party."

Landlords should be made aware and share in the responsibility for their tenants in respecting the neighbors' rights.

A year long study of other police departments and cities' approaches to this problem and a study of the Special Security Assignment have led to these recommendations[2]. IMS will need to do an additional computer program, similar to the false alarm program. The officer training on this new approach will be simple and require that officers do no additional paper work. The peak times for loud party/music have proven to be on Friday and Saturday night into Sunday morning early and the peak months appear to be June and July with May and August slightly lower. With fine collection enforced in addition to officers' response, it is predicted that our city will experience a significant decrease in the number of police responses to loud party and loud music calls.

[2] San Diego, CA; Bellingham, WA; Simi Valley, CA; Lexington, KY; Salt Lake County Sheriff's Office

Salt Lake City Police Department

Loud Party Survey Response
SLCPD Alarm Unit
December 2003

The following survey was mailed out in October to 597 addresses located within 150 feet of frequent loud party sites. 140 (23%) of these surveys were returned to the police department.

This survey indicated the following responses:

- **41% felt that loud parties are an ongoing problem in their neighborhood**
- **44% have had 1-3 loud parties in their neighborhood in the last six months**
- **Common factors to these parties are large groups of people, alcohol, loud talking and music, underage drinking, and numerous parked cars**
- **44% didn't report loud parties to police occurring in the last six months**
- **46% said police response "somewhat" caused cessation of the loud party**
- **45% said police response did not curb future loud parties**
- **43% felt that warnings and fines would be beneficial to deter loud parties**
- **43% felt that police response priority to loud parties should be a priority 4**

Total mailings – 597
Total returns – 140 - 23% returned

Survey letter and calculation of responses (in red) on next page.

September 24, 2003

The Salt Lake City Police Department is researching solutions to loud party complaints. Please help this effort by taking a moment to fill out this survey and return it by **October 10, 2003** using the self-enclosed envelope. Thank you for your time and response.

1. Do you feel loud parties are an on-going problem in your neighborhood?
   Yes **56** Some what **28** No **53** = **137**

RESPONSE: 41% **20 %** **39 %**

2. How many loud parties would you estimate have occurred in the last six months in your neighborhood?

0 – 3	4 - 6	7-10	More	
58	**29**	**17**	**27**	**= 131**

RESPONSE: 44% **22%** **13%** **21%**

3. Which factors are common with the loud parties in your area?
   (These factors totaled as indicated in table below.)
   _____ Large groups of people attending party _____ Loud music
   _____ Alcohol present _____ Underage drinkers
   _____ Loud talking _____ Numerous cars parked at party scene

RESPONSE: Common factors and number of parties in the last six months:

Common Factors	1-3 parties	4-6	7-10	More
Large groups	14	22	13	20
Alcohol	12	19	14	20
Loud talking	24	23	14	19
Loud music	18	20	13	19
Underage drinking	12	8	10	15
Numerous parked cars	7	16	12	18

4. Name other actions you may have taken to discourage loud parties before calling the police. _____
(Other actions taken included below)
I've asked them to turn down the music, but they don't always speak English!
Talked to neighbors
Talked to offending resident
Called landlord
I usually just mind my own business and let other's enjoy themselves.
Talked to party host
Closed doors and windows
Ignored the party
Asked neighbor to respect his neighbors
We talk to them first. We also take our video camera over and film them, their cars and licenses.
I have never called the police, nor have I been involved in discouraging.
I have never called the police – too intimidated
Nothing, gotten really pissed, but scared to intervene. Never called the police.
Close all my windows; request them to stop – But frankly, I think it's too risky for a single, middle-aged man to confront a dozen or more drunken kids.
People actually parked across my driveway. I gave the owner 4 minutes to get his car out.

5. How many loud parties occurred in the last six months in your neighborhood that you didn't report to the police department?

	1 – 3	4 - 6	7-10	More	
	61	**31**	**24**	**22**	**=138**
RESPONSE:	44%	22%	17%	15%	

6. Did police response cause loud parties to halt at that time?

	Yes_____	Somewhat _____	No_____	
	27	**36**	**14**	**=77**
RESPONSE:	35%	46%	18%	

7. Did police response to a loud party seem to curb future loud parties?

	13 Yes	Somewhat **26**		
RESPONSE:	13%	27%		
	43 No	Not Applicable **13**		**=95**
RESPONSE:	45%	13%		

8. Which method do you believe would be beneficial to deter loud party problems?

RESPONSE: =169

____**59**__	Warnings	34%
____**73**__	Warnings & fines	43%
____**28**___	Misdemeanor citation	16%
____ **8**___	Jail sentence	.05%
_____**1**___	**None (Not on survey)**	.005%

Comments:

***Fine the landlords only if drugs or crime of violence are present.**

***Property owner should receive warnings & fines which should be graduated. If more than two episodes – a fine and misdemeanor.**

9. Which police response priority should loud parties be given?

RESPONSE: =134

.08%__	**11**___	Priority 1 (which includes homicide/shooting/stabbing)
.09%__	**12**___	Priority 2 (which includes attempted suicide/d violence)
36%___	**49**__	Priority 3 (which includes reckless driving/traffic control)
43%___	**58**__	Priority 4 (which includes juvenile problems)
03%____	4___	Priority 5 (not listed on survey)

Comments Returned With Survey

Jerry Urlacher – Salt Lake County Aging Services
237 South 1000 East
SLC, UT 84102

Hello!
As the Director of the Tenth East Senior Center, I have been concerned with many instances of vandalism and graffiti. I frequently find beer cans and bottles when I arrive at the Center in the mornings. I expect there may be small groups of younger people partying.
Thanks for your concern.

Carol & Malcolu MacLeod
425 S. 1300 E.

Thank you for your inquiry and your support. We have no concerns or complaints about our neighborhood.

Tami Cleveland
611 N. West Capitol St.

We have a problem with people parking at partying on our street (in cars). No street lights invite this behavior. Thank you for asking.

No Name

We call the landlords to remind them that they have a responsibility to the neighborhood in whom they rent to. And every time there is a party we call them and then alert them that we will call the police. We have given landlord phone numbers to all responsible residents on the street and have listed the procedure to follow in reporting a disturbance/loud party.

We have talked with our City Councilwoman Nancy Saxton.

We have written letter to U of U coaches/Athletic Directors as some of the party hosts are U of U athletes.

No Name

We have no problem with it. I think people should be free to enjoy their parties. Unless of course it is way late into the night.

Scott & Kim Smith
418 South 1300 East

Look. We know and understand that you guys have more important matters to handle than our sleep and peace of mind being disturbed.

But what else is there for us to do about drug and alcohol related – and often very threatening and violent – disturbances?

We feel so unsafe we want to move out of our neighborhood. Then more partiers move in and eventually you guys get a bigger nest of troubles here to clean out.

Don't you want us peaceful, law-abiding folks to hold our place against the law breakers?

What else can we do but call you? Please tell us. We want to know.

George Godzwon
971 E. Simpson Ave.

Forget the parties, that's only a little lost sleep. What about the gangs meeting in Fairmont Park? I've seen guys playing with themselves by the kids' playground. Police the park better – that's more important.

J. Barry Nielsen
Cottonwood Medical Tower

The only complaint I have is the parties that happen on 2nd South 10th East. They are consistently late, loud, etc. I have called to report it.

M. Ray Kingston
1070 E. 400 S.

I have not called the police for fear of retribution

****

No Name

This is a college neighborhood full of young people that rent. Parties are going to happen, and that is a reality that comes with living near the university. People should stop complaining or move.

No Name

Note: We believe the bigger problem is the "drug house" on our street. After living here only a little over a month, we have seen traffic which we believe to be related to drug distribution. The night of the complaint, we believe drugs to be present although we have no proof other than loud talking concerning drugs.

After filling out this form, we had another loud party down the street. My husband could smell drugs and called immediately. The police dept. responded quickly and made some arrests. Thank you.

No name

The main thing is for police to tell landlords they are not going to take it, especially in terms of street parties where people show up after 1 a.m., with underage drinking – Past 4th South at University St. – one way street.

****

Rex Ewer
953 Catherine St.

We have been calling on this problem over (2) years @ 945, 948, 950, 952. My fence has been hit (3) times. Fire crackers noise every day and night. Police respond and the noise stops. When they leave it starts again. Drunk drivers are allowed to leave, no traffic control in this area.

****

No name

This neighborhood also has cars after dusk, which speed and squeal their brakes, race up and down the street. This is also an ongoing situation. The neighborhood of 400 North between Redwood Road and the end of the street. Seems like they take the side streets on <u>two</u> squealing tires. This is usually every night and goes on for an hour or better.

No name

Knowing there are other more serious and more dangerous problems for police to attend to, I have a hard time calling the police to come out because of a loud party. I know I should though.

No name

Sorry, but #9 is a dumb question. You guys have to set your priorities which would indicate responding to the worst incidents first, which would probably leave disturbing the peace way down the line. I believe you are probably overworked and understaffed and that you do a good job for the city. I feel that my area is a low crime part of the city and I'm pretty lucky to have inconsiderate ass-holes making loud noise at night as my worst issue.

Tom Smart
466 S. 1100 E.
274-6400 x 104

The University area has terrible problems with "party animal" type children who congregate at rental properties and have no respect for their neighbors. I see very little in the way of active enforcement – Not just regarding noise ordinances but also parking, zoning, traffic, graffiti removal, and so on. I believe all these areas contribute to the problem. For example, on my block, there have been several instances of renters violating the ordinance that specifies no more than 3 unrelated people in a single housing unit. I live next door to a house that has been in violation for years. Their yard is a disaster; there are often 7 or 8 cars plus three or four motorcycles parked in the area – many of them illegally – and the parties are more or less ongoing. I've never even seen them get a parking ticket. I've talked to the

landlord – especially after the last horrible tenants left and he promised to rent it only to respectable people. Then he went ahead and rented the place to a rock band. No joke – an entire rock band, using the basement for practice space and the yard for motorcycle maintenance and tuning. This neighborhood has some serious problems and I would welcome any patrolling/enforcement help, plus any suggestions on what I can do to help. Feel free to contact me if you wish to discuss this further.

---

926 Catherine Street
Salt Lake City, UT 84116

To Whom This May Concern,
As a citizen of Rose Park, I was asked to

1. **take down license plates no.**
2. **description of cards**
3. **description of people**
4. **how long the people were there**

This is concerning the house at 946 Catherine St. I and other neighbors know there is something not right going on at that residence. We have also picked up a couple of shot needles in our yard. I hope this info will help solve this problem.

No Name

I have never seen the cops breaking up a party.
Start up as soon as police leave.

No Name

Garbage tossed in residents' yard when people get to cars to leave; cups, beer, bottles, cigarette wrappers, whiskey boxes. People actually parked across my driveway. I gave the owner 4 minutes to get his car out. This is a huge, ongoing problem in this neighborhood. The people at 581 West Capitol were paid over $30,000 by SLC for improper police action. Now it seems like the homeowner is mocking the police and you are afraid now to take <u>any</u> action!

Stonebrook, Martha

From: Weeks, Russell
Sent: Wednesday, April 22, 2009 2:55 PM
To: Williams, Patricia; Wallace, Jon; Ross, Michelle
Cc: Gust-Jenson, Cindy; Burbank, Chris; Stonebrook, Martha; Ferguson, Boyd; Rutan, Ed; Everitt, David
Subject: RE: Proposed Loud Party Ordinance
Categories: Program/Policy

Patricia:

Thank you for the update. It might be interesting to have the proposed ordinance adopted before June or by early June because, according to the information provided, June and July are the months where calls about loud parties are most prevalent.

Thanks.
Russell

Russell Weeks
Public Policy Analyst
Salt Lake City Council
russell.weeks@slcgov.com

From: Williams, Patricia
Sent: Wednesday, April 22, 2009 2:51 PM
To: Weeks, Russell; Wallace, Jon; Ross, Michelle
Cc: Gust-Jenson, Cindy; Burbank, Chris; Stonebrook, Martha; Ferguson, Boyd; Rutan, Ed; Everitt, David
Subject: RE: Proposed Loud Party Ordinance

We have been asked to add the Social Host component to this. Chief Burbank is currently working on this. The presentation should probably be delayed as the transmittal is not accurate at this time. I do apologize. I know we have been waiting on this for awhile. I'll update you as soon as I can.

Thanks so much!

Patricia Williams
Executive Assistant to Chief Burbank
Salt Lake City Police Department
801.799.3802 Office
801.799.3640 Fax
Patricia.Williams@slcgov.com

From: Weeks, Russell
Sent: Wednesday, April 22, 2009 2:04 PM
To: Wallace, Jon; Ross, Michelle

Cc: Gust-Jenson, Cindy; Burbank, Chris; Williams, Patricia; Stonebrook, Martha; Ferguson, Boyd; Rutan, Ed
Subject: Proposed Loud Party Ordinance

Sergeants Wallace and Ross:

I am preparing a memorandum to the City Council about the proposed amendments to Chapter 11.14 titled *Parties, Gatherings or Events.* I have a couple questions that I hope you can answer, but first, thank you for the study attached to the proposed ordinance and cover letter. I think it's a thorough piece of work. I've also copied Martha Stonebrook and Boyd Ferguson from the City Attorney's Office with this e-mail because each has signed the "approved as to form" on versions of the ordinance that I have. This item is scheduled for a briefing at the City Council's April 28 meeting.

Here are my questions in no particular order:

- Do you plan to make a PowerPoint presentation? I noticed that an earlier version of the cover letter dated October 17, 2007, indicated that PowerPoint presentation equipment was needed. We have the equipment and are OK with PowerPoint if you still want to make it part of your presentation.

- The *Loud Party/Music Summary and Recommendation* on Page 3 lists Police Beat 131 and Police Beat 151 as the two areas with the most calls about loud parties and music. The two beats were identified as City Council districts Nos. 1 and 2. The graph on Page 4 lists Police Beats 232, 215 and 211 as rounding out the top five police beats for loud music and parties. In which City Council districts are they located? Does a beat encompass an entire district, which means there are seven beats, or are there more than seven police beats in the City?

- The date of the *Loud Party/Music Summary and Recommendation* is May 2005, and the summary references a survey from 2003. Do the results in the 2003 survey still reflect what is happening now in the City? In the Police Department's estimation, are the top five police beats for loud music and parties the same, or might they have changed? Are the structures with loud parties and music (Graph No. 3) still the same generally, or might they have changed?

- The summary references Special Security Agreements, but the proposed ordinance references Special Security Assignments. They appear to be the same thing, but I just wanted to double check.

Thanks for your help on this. I hope to have a draft version of the memorandum to the City Council to you for your review by late-Thursday afternoon.

Thanks.

Russell

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Public Policy Analyst
Salt Lake City Council
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Salt Lake City Police Department

Loud Party and Disturbance Calls for Service

Report End Date 7/12/2009

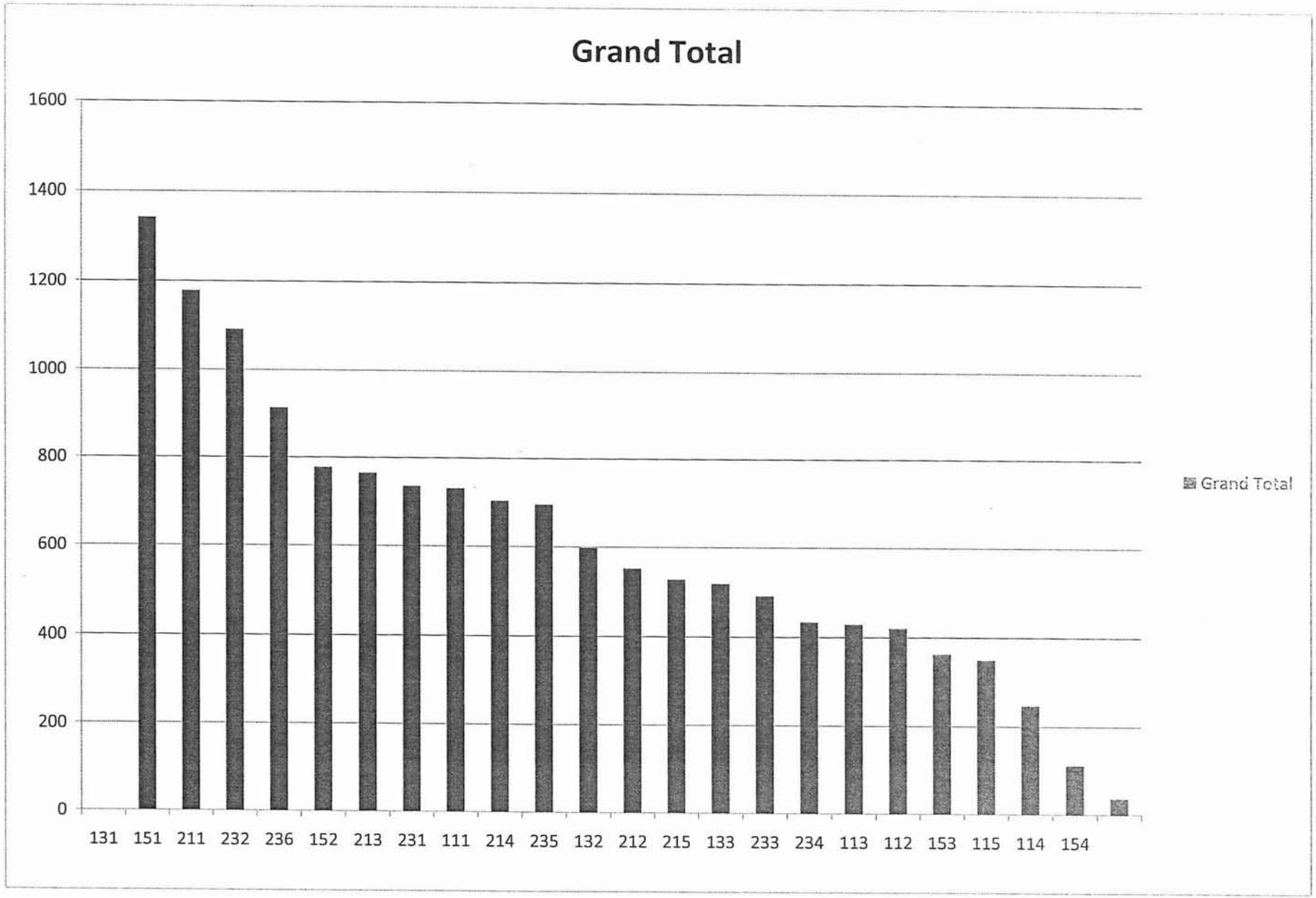
		111	112	113	114	115	131	132	133	151	152	153	154	211	212	213	214	215	231	232	233	234	235	236	Grand Total
2007	January	14	13	15	2	5	23	3	9	18	4	8		12	12	13	11	4	11	7	2	7	9	16	218
	February	26	13	13	3	5	19	11	11	28	17	6	1	28	14	20	22	8	14	17	6	11	13	13	319
	March	29	12	16	4	4	40	15	17	36	42	11	1	31	16	20	30	21	35	35	19	24	25	30	513
	April	42	8	16	2	6	47	19	13	52	33	11	1	33	14	26	34	24	38	33	15	22	18	34	541
	May	29	13	18	5	10	60	25	25	55	38	13		48	12	36	32	25	32	40	23	20	21	35	615
	June	42	11	19	5	11	77	39	29	55	46	18	2	44	25	40	27	20	40	53	21	18	31	27	700
	July	18	7	16	5	11	67	32	23	52	31	11	1	32	23	19	28	12	20	38	16	16	24	37	539
	August	31	8	16	3	13	74	31	28	78	30	17		38	15	21	35	23	38	28	23	9	20	43	622
	September	24	10	19	4	14	66	32	21	66	34	16	1	51	14	36	31	29	48	37	25	14	19	29	640
	October	20	8	9	4	20	33	24	7	35	24	11		23	16	28	35	16	22	41	11	12	23	25	447
	November	7	6	12	2	11	33	11	8	23	25	14		14	12	12	20	18	22	26	8	11	9	23	327
	December	12	6	6	3	5	23	4	2	11	16	6	1	19	16	10	19	10	18	13	5	10	7	16	238
	Total	294	115	175	42	115	562	246	193	509	340	142	8	373	189	281	324	210	338	368	174	174	219	328	5719
2008	January	12	10	9	3	1	18	9	13	10	10	10		14	20	22	10	9	19	17	6	11	12	17	262
	February	13	6	12	4	8	28	11	15	17	9	5	4	25	18	34	17	14	11	16	5	10	7	15	304
	March	28	8	10	2	13	27	15	16	24	15	5		18	20	24	21	18	23	20	11	17	21	15	371
	April	26	11	11	4	7	42	14	17	36	17	13	1	33	20	20	21	15	22	21	10	11	27	23	422
	May	16	12	15	2	9	69	33	30	60	42	14		58	30	42	12	16	28	53	21	17	36	27	642
	June	36	18	10	3	11	86	27	31	56	37	20		52	20	35	38	19	38	38	16	19	25	37	672
	July	18	14	11	2	10	70	22	27	65	39	9		38	5	18	20	17	34	36	11	22	22	26	536
	August	26	18	17	7	6	81	26	19	59	29	16	4	52	15	37	25	23	19	37	21	19	42	38	636
	September	31	12	19	3	8	36	18	12	39	32	23	2	47	23	44	21	23	20	45	26	16	25	38	563
	October	25	16	12	7	14	40	10	10	28	20	10	2	44	18	24	20	22	18	35	11	13	13	34	446
	November	26	10	10	6	3	25	13	12	28	14	5	4	40	26	12	16	16	13	20	13	17	14	11	354
	December	13	15	15	1	4	22	11	6	16	6	5	2	29	14	6	12	9	6	13	5	4	13	10	237
	Total	270	150	151	44	94	544	209	208	438	270	135	19	450	229	318	233	201	251	351	156	176	257	291	5445
2009	January	15	12	12	2	6	16	12	5	15	13	6	2	35	15	13	14	5	16	22	6	10	15	15	282
	February	13	17	7	3	2	11	11	6	14	10	2	1	22	25	16	13	7	12	21	5	4	9	17	248
	March	16	11	15	4	4	34	10	15	25	11	11		33	15	22	16	13	27	18	12	12	16	15	355
	April	18	14	16	4	4	44	13	16	37	29	11	1	44	12	22	23	18	20	34	21	12	17	26	456
	May	21	20	18	7	12	55	21	23	67	38	16	3	50	21	32	23	23	28	40	28	13	26	49	634
	June	38	16	21	6	9	53	15	21	58	33	17	1	59	18	25	31	26	23	41	18	22	24	20	595
	July	18	8	6	1	2	23	14	4	16	20	10	2	26	3	6	19	15	15	18	14	6	15	16	277
	Total	139	98	95	27	39	236	96	90	232	154	73	10	269	109	136	139	107	141	194	104	79	122	158	2847
Grand Total		703	363	421	113	248	1342	551	491	1179	764	350	37	1092	527	735	696	518	730	913	434	429	598	777	14011

Salt Lake City Police Department

Loud Party and Disturbance Calls for Service

Report End Date 7/12/2009

	2007													2008												2009								
Beat	January	February	March	April	May	June	July	August	September	October	November	December	2007 Total	January	February	March	April	May	June	July	August	September	October	November	December	2008 Total	January	February	March	April	May	June	July	2009 Total	Grand Total
131	23	19	40	47	60	77	67	74	66	33	33	23	562	18	28	27	42	69	86	70	81	36	40	25	22	544	16	11	34	44	55	53	23	236	1342
151	18	28	36	52	55	55	52	78	66	35	23	11	509	10	17	24	36	60	56	65	59	39	28	28	16	438	15	14	25	37	67	58	16	232	1179
211	12	28	31	33	48	44	32	38	51	23	14	19	373	14	25	18	33	58	52	38	52	47	44	40	29	450	35	22	33	44	50	59	26	269	1092
232	7	17	35	33	40	53	38	28	37	41	26	13	368	17	16	20	21	53	38	36	37	45	35	20	13	351	22	21	18	34	40	41	18	194	913
236	16	13	30	34	35	27	37	43	29	25	23	16	328	17	15	15	23	27	37	26	38	38	34	11	10	291	15	17	15	26	49	20	16	158	777
152	4	17	42	33	38	46	31	30	34	24	25	16	340	10	9	15	17	42	37	39	29	32	20	14	6	270	13	10	11	29	38	33	20	154	764
213	13	20	20	26	36	40	19	21	36	28	12	10	281	22	34	24	20	42	35	18	37	44	24	12	6	318	13	16	22	22	32	25	6	136	735
231	11	14	35	38	32	40	20	38	48	22	22	18	338	19	11	23	22	28	38	34	19	20	18	13	6	251	16	12	27	20	28	23	15	141	730
111	14	26	29	42	29	42	18	31	24	20	7	12	294	12	13	28	26	16	36	18	26	31	25	26	13	270	15	13	16	18	21	38	18	139	703
214	11	22	30	34	32	27	28	35	31	35	20	19	324	10	17	21	21	12	38	20	25	21	20	16	12	233	14	13	16	23	23	31	19	139	696
235	9	13	25	18	21	31	24	20	19	23	9	7	219	12	7	21	27	36	25	22	42	25	13	14	13	257	15	9	16	17	26	24	15	122	598
132	3	11	15	19	25	39	32	31	32	24	11	4	246	9	11	15	14	33	27	22	26	18	10	13	11	209	12	11	10	13	21	15	14	96	551
212	12	14	16	14	12	25	23	15	14	16	12	16	189	20	18	20	20	30	20	5	15	23	18	26	14	229	15	25	15	12	21	18	3	109	527
215	4	8	21	24	25	20	12	23	29	16	18	10	210	9	14	18	15	16	19	17	23	23	22	16	9	201	5	7	13	18	23	26	15	107	518
133	9	11	17	13	25	29	23	28	21	7	8	2	193	13	15	16	17	30	31	27	19	12	10	12	6	208	5	6	15	16	23	21	4	90	491
233	2	6	19	15	23	21	16	23	25	11	8	5	174	6	5	11	10	21	16	11	21	26	11	13	5	156	6	5	12	21	28	18	14	104	434
234	7	11	24	22	20	18	16	9	14	12	11	10	174	11	10	17	11	17	19	22	19	16	13	17	4	176	10	4	12	12	13	22	6	79	429
113	15	13	16	16	18	19	16	16	19	9	12	6	175	9	12	10	11	15	10	11	17	19	12	10	15	151	12	7	15	16	18	21	6	95	421
112	13	13	12	8	13	11	7	8	10	8	6	6	115	10	6	8	11	12	18	14	18	12	16	10	15	150	12	17	11	14	20	16	8	98	363
153	8	6	11	11	13	18	11	17	16	11	14	6	142	10	5	5	13	14	20	9	16	23	10	5	5	135	6	2	11	11	16	17	10	73	350
115	5	5	4	6	10	11	11	13	14	20	11	5	115	1	8	13	7	9	11	10	6	8	14	3	4	94	6	2	4	4	12	9	2	39	248
114	2	3	4	2	5	5	5	3	4	4	2	3	42	3	4	2	4	2	3	2	7	3	7	6	1	44	2	3	4	4	7	6	1	27	113
154		1	1	1		2	1		1			1	8		4		1				4	2	2	4	2	19	2	1		1	3	1	2	10	37
Grand Total	218	319	513	541	615	700	539	622	640	447	327	238	5719	262	304	371	422	642	672	536	636	563	446	354	237	5445	282	248	355	456	634	595	277	2847	14011


Grand Total
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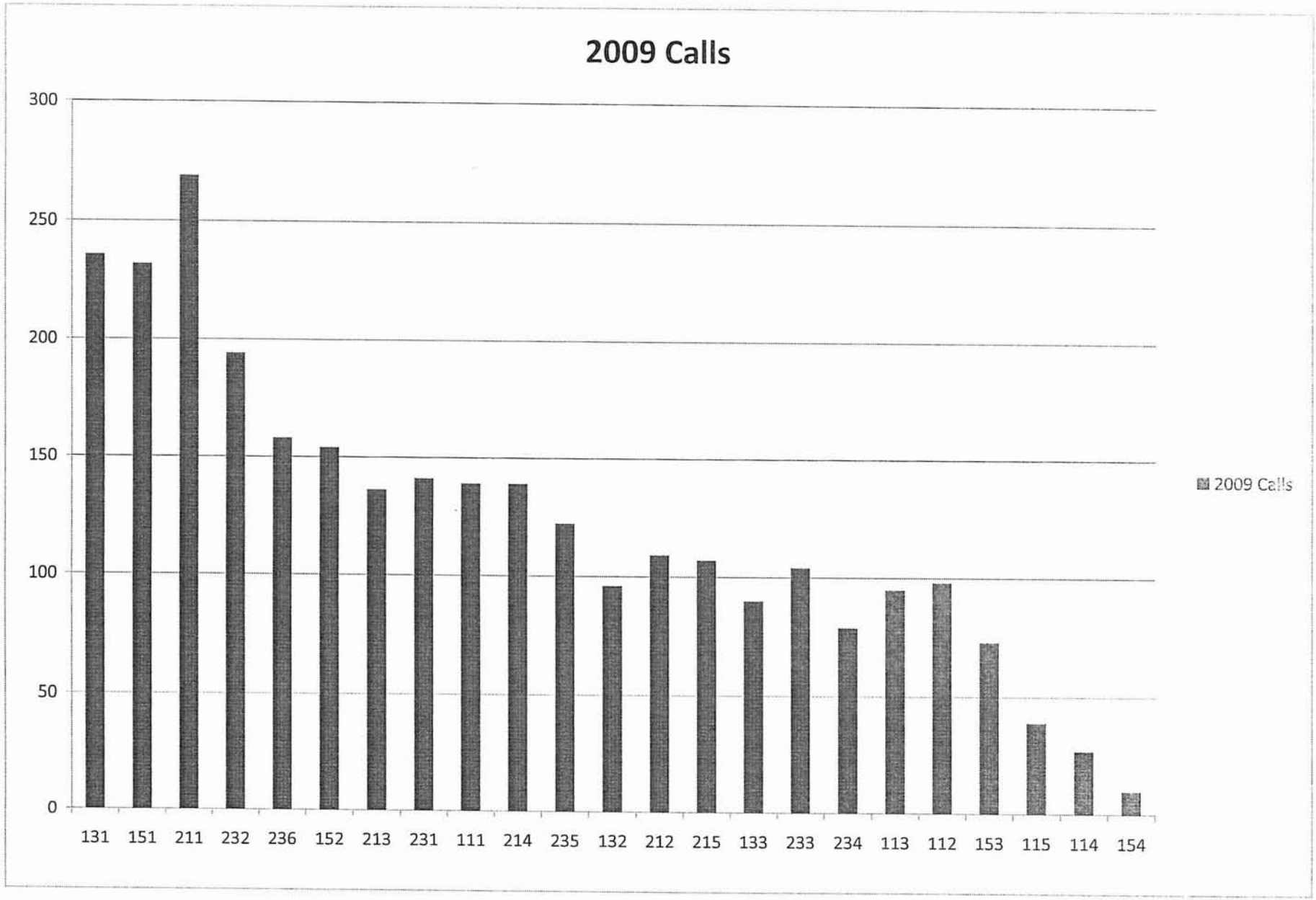
131 151 211 232 236 152 213 231 111 214 235 132 212 215 133 233 234 113 112 153 115 114 154
Grand Total


2009 Calls
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250
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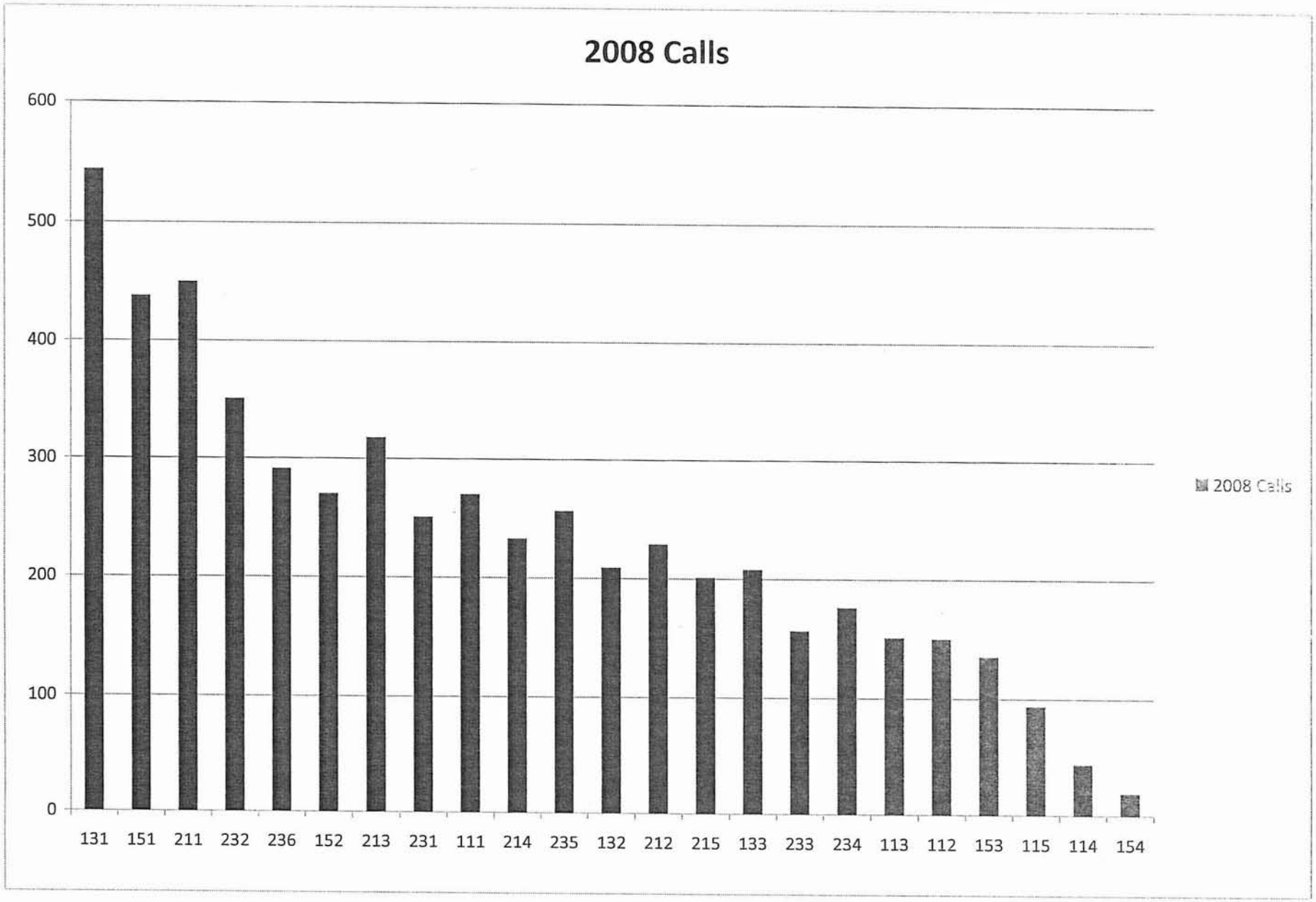
131 151 211 232 236 152 213 231 111 214 235 132 212 215 133 233 234 113 112 153 115 114 154
2009 Calls


2008 Calls
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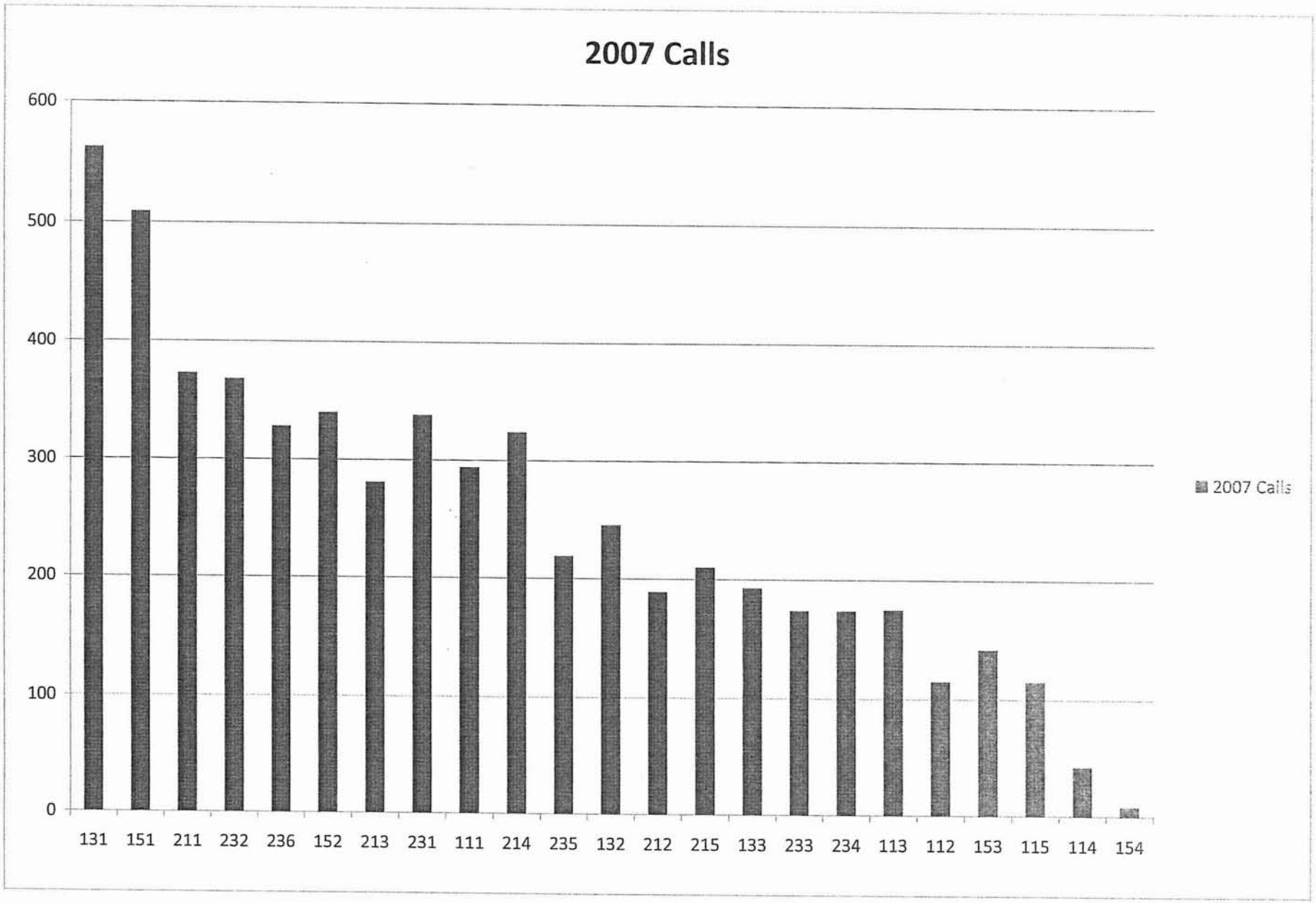
131 151 211 232 236 152 213 231 111 214 235 132 212 215 133 233 234 113 112 153 115 114 154
2008 Calls


2007 Calls
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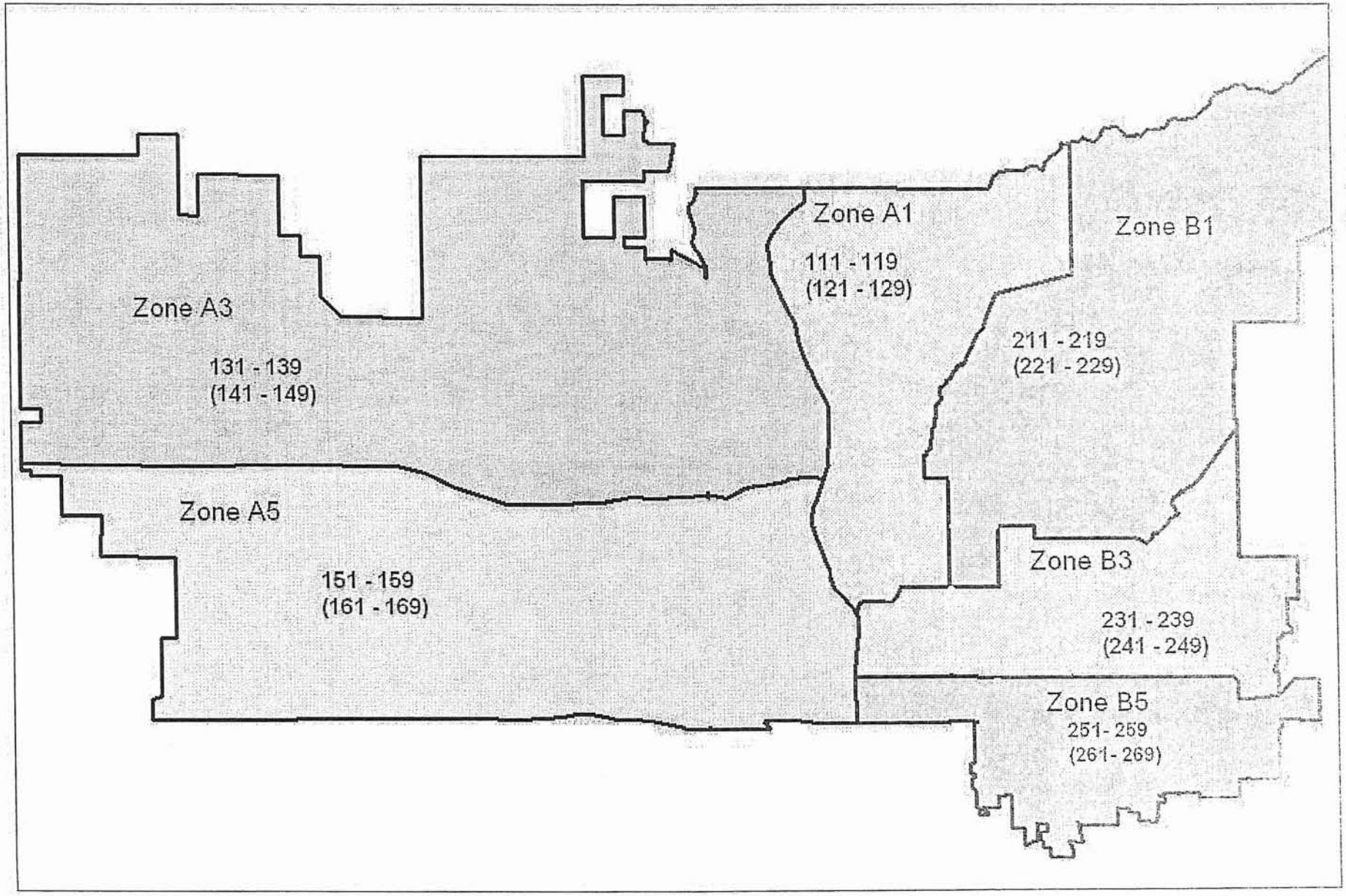
131 151 211 232 236 152 213 231 111 214 235 132 212 215 133 233 234 113 112 153 115 114 154
2007 Calls

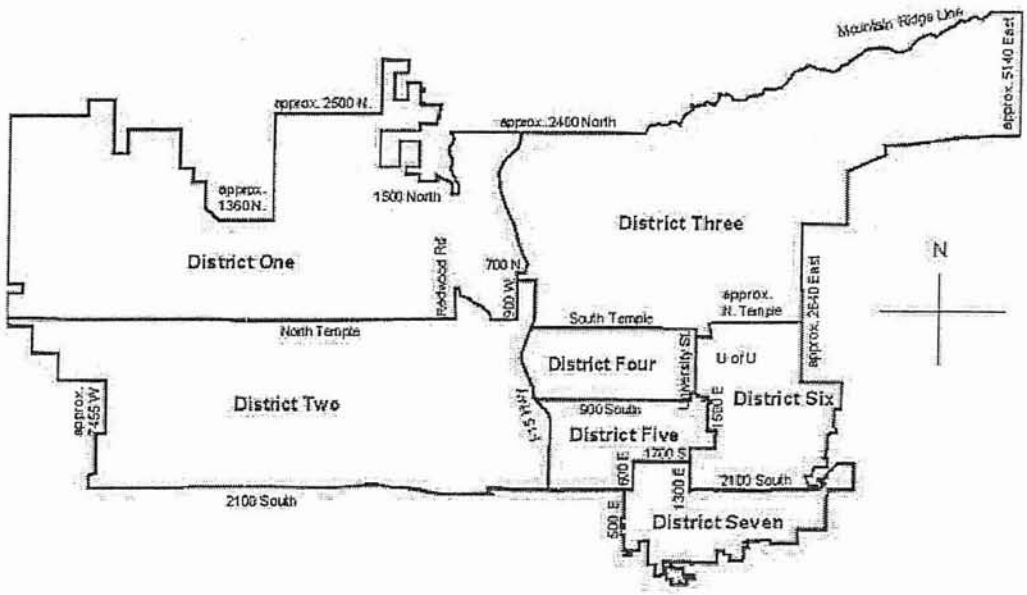
Salt Lake City Police Zone Map



THE CITY COUNCIL

Council Maps & Boundaries

Click here for detailed city map (GIS) with council districts



District One includes the Rose Park, Morton Meadows, North Redwood, Jordan Meadows, Westpointe, State Fairpark, and Onequa neighborhoods, the Salt Lake City International Airport and the Salt Lake International Center business park.

District Two neighborhoods include Glendale, Jackson and Poplar Grove. The District also includes the Centennial Park industrial area, Sorenson Multi-Cultural Center and the Glendale Golf Course.

District Three neighborhoods include the lower and upper Avenues, Capitol Hill, West Capitol Hill, Guadalupe and Federal Heights. District Three is home to the State Capitol building, City Creek Canyon, the City Cemetery, two hospital sites and three historic preservation districts – the Avenues, Capitol Hill and South Temple.

District Four encompasses the Central City, East Downtown, People's Freeway and Rio Grande neighborhoods. The district includes most of downtown, East High School and the Central City historic preservation district.

District Five encompasses the area south and east of Liberty Park, extending to I-15. District Five neighborhoods include East Liberty Park, People's Freeway, Central and East Central City, Liberty Wells, Wasatch Hollow and Yalecrest. District Five is also home to the Salt Lake community College facilities on State Street.

District Six neighborhoods include Bonneville Hills, St. Mary's, Indian Hills, Oak Hills, Sunnyside, Yalecrest, Sugar House, Wasatch Hollow, H Rock, Sunset Oaks, and Foothill. The District also includes the University of Utah, University Village, Research Park, Fort Douglas, Hogle Zoo, This is the Place Heritage Park, Foothill Village shopping area, 15th & 15th shopping area, and Bonneville Golf Course.

District 7 encompasses the southeast section of the city and includes Sugar House, Liberty Wells and Arcadia Heights/Benchmark neighborhoods; the Sugar House and Brickyard Plaza commercial areas; Westminster College, Highland High School, Sugar House Park; and, Forest Dale, Country Club and Nibley Park golf courses.