

*******NOT YET APPROVED*******

ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF PALO ALTO
ADDING SECTION 9.04.040 (“CERTAIN SOCIAL GATHERINGS
UNLAWFUL”) TO CHAPTER 9.04 (“ALCOHOLIC BEVERAGES”)
TO TITLE 9 (“PUBLIC PEACE MORALS AND SAFETY”) TO THE
PALO ALTO MUNICIPAL CODE

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Section 9.04.040 (Certain Social Gatherings Prohibited) of Chapter 9.05 (Alcoholic Beverages) of Title 9 (Public Peace, Morals and Safety) of the Palo Alto Municipal Code is hereby added to read as follows:

“9.05.010 Certain Social Gatherings Unlawful

(a) Definitions. For the purposes of this chapter, the following words have the following meanings:

(1) “Juvenile” means any minor child under the age of eighteen (18) years of age.

(2) “Minor” means any person under the age of twenty-one (21) years of age.

(3) “Gathering or event” means a group of four or more persons who have assembled or are assembling for a social occasion or a social activity.

(4) “Persons responsible for the event” means and includes, but is not limited to:

(A) The person who owns, rents, leases or otherwise has control of the premises where the gathering or event takes place; provided that the term “person” shall not include the owner of the premises where the owner leases or rents the premises to a third party and has no actual knowledge that the gathering or event in question will take place on the premises.

(B) The person in charge of the premises.

(C) The person who organized the event and/or the host of the event.

(b) No person under the age of twenty-one (21) years shall consume or have in his/her possession or control any alcoholic beverage at any place not open to the public, unless that person is being supervised by his/her parent or legal guardian.

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(c) Except as permitted by Article I, Section 4, of the California Constitution, and the Alcoholic Beverage Control Act (California Business and Professions Code Sections 23000 et seq.), no person shall suffer, permit, allow or host a gathering or event at his/her place of residence or other private property, place or premises under his/her control where persons under the age of twenty-one (21) are present and alcoholic beverages are in the possession of, or are being consumed by, any person under the age of twenty-one (21) years in violation of subdivision (b) of this section.

SECTION 2. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Police Chief

Director of Administrative
Services