

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisors Benoit and Jeffries

SUBMITTAL DATE:
September 15, 2015

SUBJECT: Adoption of Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events


RECOMMENDED MOTION: That the Board of Supervisors adopt Ordinance No. 924, an Ordinance of the County of Riverside Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events

BACKGROUND:

Loud and unruly parties are becoming an increasingly frequent problem in unincorporated areas. This kind of ordinance has proven to be an effective tool for the cities of Moreno Valley, Palm Desert and Coachella to address similar problems in those jurisdictions.

Facing issues of excessive noise, excessive traffic, public drunkenness, alcohol service to minors, fights, litter and disturbances of the peace, the cities of Palm Desert and Coachella introduced identical ordinances that work to shut down unruly parties by giving the Sheriff the ability to charge responsible persons for the costs associated with repeated responses. The City of Moreno Valley has a provision that allows the Sheriff to preemptively contact and warn party promoters of potential penalties for out-of-control gatherings, usually stopping trouble before it begins. These ordinances are tried and true. They have worked so well for these communities that these provisions are being combined into a single ordinance for Riverside County.

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John J. Benoit, Fourth District Supervisor

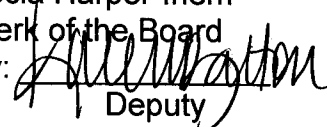


Kevin Jeffries, First District Supervisor

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 924 is adopted with waiver of the reading.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: September 15, 2015
xc: Supvr. Benoit, Supvr. Jeffries, Sheriff, MC, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

BACKGROUND:

This ordinance will:

- Declare loud and unruly gatherings unlawful and a public nuisance, subject to abatement
- Allow the Sheriff to issue courtesy notices for planned events making promoters aware of this ordinance
- Allow the Sheriff to post a "Notice of Public Nuisance" that must remain in a prominent place for 60 days warning that additional offenses may result in abatement
- Allow the Sheriff to recover the actual cost of repeated responses

The intent of this ordinance is to punish the bad actors. There are protections included for those looking to comply with the law. These include:

- Off-site property owners will be notified via mail when a Notice of Public Nuisance is posted on their property and given 14 days to correct the problem before abatement begins
- Hosts who have made all reasonable attempts to remove bad actors will not be considered liable
- Hosts requesting the Sheriff's assistance to remove bad actors following the initial response will not be considered liable
- After receiving a warning, false reporters will be billed for the cost of responding to false reports

Riverside County is seeing an increase in large unpermitted temporary events. These events include concerts, rodeos, races and corporate parties. According to Ordinance 348, temporary events with 200 or more people must obtain a permit. The permitting process for temporary events ensures that applicants consider the community and produce a safe, controlled event. The permitting process requires:

- An application to be submitted 60 days before the event
- A parking plan
- An emergency medical services plan
- A sewage, food service and potable water plan
- A fire protection plan
- A security plan
- A noise, dust and lighting plan
- No operation between the hours of 2 a.m. and 6 a.m.
- A posted bond and insurance

Issues arise because it can be easier and cheaper to conduct large events illegally. Under our current system, the consequence of conducting a large temporary event without a permit is, theoretically, that the party gets shut down. Experience shows that it is very difficult and potentially dangerous for a couple of sheriff's deputies to stop a large group of several hundred people and expect the participants to disperse in an orderly, safe and peaceful manner.

Attractions such as Wine Country and the Coachella Music Festival draw tens of thousands of people to Riverside County every year. Renting large estates to continue the party has become increasingly popular for visitors. This trend has bothered nearby permanent residents who have to suffer through the traffic, noise, late hours and trash associated with these events.

(Continues on next page)

RE: Adoption of Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events

Date: September 15, 2015

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This ordinance will work to curb the tide of party houses and unpermitted events by giving the county a tool to punish bad behavior. Behavior will change when those responsible for disturbing the neighborhood suffer the consequences.

The Sheriff's Department has had such success with this in Coachella and Palm Desert that they hope to take this ordinance, if passed, to each contract city for consideration.

Attachments

Ordinance 924

1 Section 4. DEFINITIONS. As used in this ordinance, the following terms shall have
2 the following meanings:

- 3 a. County. The County of Riverside.
- 4 b. Sheriff. The Riverside County Sheriff's Department or sworn deputies
5 employed by same.

6 Section 5. PUBLIC NUISANCE.

- 7 a. It shall be unlawful and a public nuisance to conduct a gathering of one or
8 more persons on any private property in a manner which constitutes a
9 substantial disturbance of the quiet enjoyment of private or public property
10 in a neighborhood, as a result of conduct constituting a violation of law.
11 Illustrative of such unlawful conduct is excessive noise or traffic,
12 obstruction of public streets by crowds or vehicles, public drunkenness, the
13 service of alcohol to minors, fights, disturbances of the peace and litter.
- 14 b. A gathering constituting a public nuisance is unlawful and may be abated
15 by the County by all reasonable means including, but not limited to, an
16 order requiring the gathering to be disbanded and citation and/or arrest of
17 any law violators under any applicable local law and State statute.

18 Section 6. COURTESY NOTICE FOR PLANNED PUBLIC NUISANCE.

- 19 a. When the County receives information that reasonably indicates that a
20 gathering is being planned which, if actually held, may constitute a public
21 nuisance under this ordinance, the premises at which such gathering is
22 anticipated to be held may be provided with a notice substantially in the
23 form in subsection b. of this section stating that a public nuisance under this
24 ordinance that is caused by a gathering at the premises, that necessitates a
25 law enforcement response followed by any subsequent or second law
26 enforcement response with respect to a nuisance under this ordinance at said
27 premises, including a second response that same day or night, within sixty
28 days of the first response, shall result in the joint and several liability of any

1 guests causing the public nuisance, persons who are residents or in control
2 of the property at which the public nuisance occurred, persons who
3 sponsored the gathering constituting the public nuisance, and owners of the
4 premises. The notice form language in subsection b. of this section is
5 intended as guidance and may be changed by the County at its discretion
6 without amendment of this ordinance so long as any changes made are in
7 compliance with due process requirements.

8 b. Notice—Form.

9 IMPORTANT NOTICE REGARDING PUBLIC NUISANCE

10 NOTICE IS HEREBY GIVEN THAT, pursuant to Riverside County
11 Ordinance No. 924, on: _____, 20____, at _____ a.m./p.m.

12 The Riverside County Sheriff's Department has received
13 information that reasonably indicates that a gathering is being planned
14 which, if actually held at the below-listed premises, may cause a public
15 nuisance as defined by Riverside County Ordinance No. 924, (e.g.,
16 disturbance of the peace, threat to public safety, etc.):

17 Address: _____

18 WARNING

19 IF THE SHERIFF'S DEPARTMENT RESPONDS TO DISTURBANCES
20 CONSTITUTING A NUISANCE (AS DEFINED BY RIVERSIDE COUNTY
21 ORDINANCE NO. 924) AT THE ABOVE PREMISES, INCLUDING BUT NOT
22 LIMITED TO DISTURBANCES LATER TODAY OR TONIGHT, THE COST OF A
23 SUBSEQUENT RESPONSE WILL BE IMPOSED UPON:

- 24 1. ALL GUESTS CAUSING THE NUISANCE.
- 25 2. ALL SPONSORS OF THE GATHERING.
- 26 3. ALL RESIDENTS OF THE PREMISES.
- 27 4. ALL PERSONS IN CONTROL OF THE PREMISES.
- 28 5. ALL OWNERS OF THE PREMISES THAT RESIDE ON OR
ADJACENT TO THE PREMISES, OR ARE PRESENT AT THE
PREMISES.

Property owners who do not reside on or adjacent to the above
premises, and who are not present at the premises may also be held
jointly and severally liable for said cost.

(Name and Signature of Sheriff's Department Employee Issuing This Notice)

(Employee's Phone Number)

1 Date: _____

2 Case Number: _____

3
4 Section 7. NOTICE OF PUBLIC NUISANCE.

5 a. When the Sheriff responds to a gathering which constitutes a public
6 nuisance under this ordinance, the premises at which such nuisance
7 occurred shall be posted with a notice in a prominent location substantially
8 in the form in subsection g. of this section providing all of the following:

- 9 1. That a public nuisance under this ordinance was caused by a
10 gathering at the premises;
- 11 2. The date and time of the Sheriff response; and
- 12 3. Any subsequent or second Sheriff response with respect to a
13 nuisance under this ordinance at the subject premises, including a
14 second response that same day or night, within sixty (60) days of the
15 first response, shall result in the joint and several liability of any
16 guest causing the public nuisance, persons who are residents or in
17 control of the premises at which the public nuisance occurred,
18 persons who sponsored the gathering constituting the public
19 nuisance, and owners of the premises.

20 b. The residents, persons in control of the premises and the sponsors of the
21 gathering shall be responsible for ensuring that the notice is not removed or
22 defaced and shall be liable for a penalty of one hundred dollars in addition
23 to any other costs or penalties which may be due under this ordinance, if
24 such notice is removed or defaced.

25 c. The residents, persons in control of the premises or sponsor of the event, if
26 present, shall be consulted as to the location in which such notice is posted
27 in order to achieve both the security of the notice and its prominent display.

28 d. The notice shall remain posted for the entire sixty (60) day period.

1 e. Notice of the Sheriff response shall also be mailed to any property owner at
2 the address shown on the County's property tax assessment records and
3 shall advise the property owner that any subsequent gathering resulting in a
4 public nuisance with sixty (60) days on the same premises requiring Sheriff
5 response shall result in liability of the property owner for all costs
6 associated with such response.

7 f. The notice form language in subsection g. of this section is intended as
8 guidance and may be changed by the County at its discretion without
9 amendment of this ordinance so long as any changes made are in
10 compliance with due process requirements.

11 g. Notice—Form.

12 IMPORTANT NOTICE REGARDING PUBLIC NUISANCE

13 NOTICE IS HEREBY GIVEN THAT, pursuant to Riverside County
14 Ordinance No. 924, on: _____, 20____, at _____ a.m./p.m.

15 The Riverside County Sheriff's Department found that a gathering,
16 at the below-listed premises caused a public nuisance as defined by
17 Riverside County Ordinance No. 924, (e.g., disturbance of the peace,
18 threat to public safety, etc.):

19 Address: _____

20 WARNING

21 IF THE SHERIFF'S DEPARTMENT RESPONDS TO ANOTHER
22 DISTURBANCE CONSTITUTING A NUISANCE (AS DEFINED BY RIVERSIDE
23 COUNTY ORDINANCE NO. 924) AT THE ABOVE PREMISES WITHIN 60 DAYS
24 OF THIS NOTICE, INCLUDING BUT NOT LIMITED TO A DISTURBANCE
25 LATER TODAY OR TONIGHT, THE COST OF A SUBSEQUENT RESPONSE
26 WILL BE IMPOSED UPON:

- 27 1. ALL GUESTS CAUSING THE NUISANCE.
- 28 2. ALL SPONSORS OF THE GATHERING.
3. ALL RESIDENTS OF THE PREMISES.
4. ALL PERSONS IN CONTROL OF THE PREMISES.
5. ALL OWNERS OF THE PREMISES THAT RESIDE ON OR
ADJACENT TO THE PREMISES, OR ARE PRESENT AT THE
PREMISES WHEN THIS NOTICE IS FIRST POSTED.

Property owners who do not reside on or adjacent to the above
premises, and who are not present when this Notice is first posted, are
also jointly and severally liable for said cost, if the next disturbance
occurs after two weeks after this Notice is mailed to said owner.

1 deemed to be the owner of the single unit and not the
2 members of the housing cooperative in general. Where the
3 gathering took place in the common area of a building
4 owned by a housing cooperative, only the members of the
5 cooperative owning units in the building where the gathering
6 took place shall be deemed the owners of the property for
7 purposes of this subsection. Other members of the housing
8 cooperative may still be liable if they fall within the
9 categories of person made liable by subsection 8.a.2., 8.a.3.,
10 or 8.a.4. of this section.

- 11 2. The person or persons residing on or otherwise in control of the
12 premises where such gathering took place;
- 13 3. The person or persons who organized or sponsored such gathering;
- 14 4. All persons attending such gathering who engaged in any activity
15 resulting in the public nuisance

- 16 a. Nothing in this section shall be construed to impose liability on the resident
17 or owners of the premises or sponsor of the gathering for the conduct of
18 persons who are present without the express or implied consent of the
19 resident or sponsor, as long as the resident and sponsor have taken all steps
20 reasonably necessary to exclude such uninvited persons from the premises.
21 Where an invited person engages in conduct which the sponsor or resident
22 could not reasonably foresee and the conduct is an isolated instance of a
23 person at the gathering violating the law which the sponsor is unable to
24 reasonably control without the response of the Sheriff, the unlawful conduct
25 of the individual person shall not be attributable to the sponsor, owner or
26 resident for the purposes of determining whether the gathering constitutes a
27 public nuisance under this ordinance.

28 ///

- 1 b. There shall be no liability for the cost under this ordinance for a subsequent
2 response during the same day or night as the prior response, unless a
3 reasonable time has been provided to abate the public nuisance, taking into
4 account the size of the gathering, the time of day and other relevant factors.
- 5 c. There shall be no liability for the cost under this ordinance for a second
6 response during the same day or night as the first response when a person
7 who would otherwise be liable under this ordinance seeks assistance from
8 the Sheriff to abate a public nuisance under this ordinance, and the person
9 cooperates fully with the Sheriff while taking reasonable action to abate the
10 public nuisance.
- 11 d. If the Sheriff is required to respond to a gathering constituting a public
12 nuisance on the same premises more than once in any sixty (60) day period,
13 excluding a second response during the same day or night as the first
14 response, the sixty (60) day period shall be extended by another sixty (60)
15 period from the date of the second response.

16 Section 9. RECOVERY OF SUBSEQUENT RESPONSE COSTS.

- 17 a. After giving proper notice pursuant to Section 7 herein and a reasonable
18 opportunity to abate a gathering constituting a public nuisance, the cost of
19 the subsequent response shall be assessed against all persons liable for the
20 County's subsequent response. The subsequent response costs shall include
21 the following:
- 22 1. The actual cost to the County for law enforcement services incurred
23 as a result of a subsequent response;
 - 24 2. The actual cost of any medical treatment required by the Sheriff for
25 injuries sustained during the subsequent response;
 - 26 3. The actual cost of repairing or replacing any County equipment or
27 property damaged or destroyed during a subsequent response.

1 b. The cost of the response shall be calculated based upon the actual costs,
2 both direct and indirect, of providing the law enforcement response.

3 c. The County shall bill all persons liable for subsequent response costs by
4 mail by sending a letter in substantially the form in subsection d. of this
5 section. Payment of the costs shall be due within thirty (30) days of the date
6 the bill is deposited in the mail. If full payment is not received within the
7 required time for payment, the bill will be delinquent, and all persons liable
8 for the cost shall be charged interest at the maximum legal rate from the
9 date the payment period expires and a further penalty in the amount of one
10 hundred dollars. The letter form language in subsection d. of this section is
11 intended as guidance and may be changed by the County at its discretion
12 without amendment of this ordinance so long as any changes made are in
13 compliance with due process requirements.

14 d. Response Cost Letter.

15 Date: _____

16 To: _____

17 Dear _____:

18 The County of Riverside was required to abate the public nuisance
19 caused by a gathering of 10 or more persons at (location of property),
20 which substantially disrupted the quiet enjoyment of property in a
21 significant segment of the adjacent neighborhood. This is the
22 (second/third/fourth, etc.) such public nuisance at this property within
23 the last 60 days, and thus, the cost of the response in the amount of
24 \$ _____ is imposed on you. If you fail to remit this amount to the
25 County of Riverside by (30 days from the date of this notification) you will
26 be liable for an additional \$100 penalty, plus interest. The payment
27 should be remitted to the address listed below. Your liability is based on
28 the fact that you were:

 [] An owner of the property to whom was sent prior notice of
 a public nuisance at the property within the previous 60
 days; and/or

 [] An owner of the property who resided on or adjacent to
 the property when the public nuisance took place; and/or

///

- 1 [] An owner of the property who was present when a notice
2 of a public nuisance was first posted at the property;
 and/or
- 3 [] A person who resided on or was otherwise in control of the
4 property when the public nuisance took place there; and/or
- 5 [] A person who organized or sponsored the event that
 created the public nuisance at such property; and/or
- 6 [] A person who attended the event constituting the public
7 nuisance at such property and engaged in the conduct
 which resulted in the public nuisance.

8 If you believe that you are not liable you may defend this claim in
9 the civil action which the County of Riverside will file against you upon
10 your failure to remit the cost of the law enforcement response. You
 should be aware, however, that if you fail to prevail in that action you will
 be liable for the additional penalty of \$100 and interest on the total fee.

11 Sincerely,

12
13 _____
 (Name, Title, Address and Phone Number of Signatory)

14
15 Section 10. REMEDIES AND COLLECTION OF DELINQUENT COSTS.

- 16 a. The costs assessed as a result of a subsequent response shall constitute a
17 debt of all persons liable for the costs in favor of the County and may be
18 collected in any manner authorized by law and are recoverable in a civil
19 action filed by the County.
- 20 b. The remedies provided by this ordinance are in addition to all other
21 administrative, civil and criminal remedies available to the County with
22 respect to the unlawful conduct constituting the public nuisance which gave
23 rise to the Sheriff's response under this ordinance.

24 Section 11. FALSE REPORTS PROHIBITED

- 25 a. The filing of a false complaint or report of a public nuisance under this
26 ordinance is prohibited, and repeated violators will be liable for the
27 County's response costs as set forth in Section 9 above.

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- 1 b. A false complaint or report of a public nuisance under this ordinance will be
2 determined based on the false reporter's intent to annoy or harass and/or the
3 reporter's repeated verifiable false reports. An intent to annoy or harass is
4 established by proof of repeated calls over a period of time, however short,
5 that are unreasonable under the circumstances.
- 6 c. After the false reporter is given one warning, the cost of a subsequent
7 response shall be assessed against the false reporter for the Sheriff's
8 response in any subsequent false report within a sixty (60) day period.
9 The County shall bill the false reporter for the subsequent response costs by
10 mail by sending a written citation. Payment of the fees shall be due within
11 thirty (30) days of the date the bill is deposited in the mail. If full payment
12 is not received within the required time for payment, the bill will be
13 delinquent, and the false reporter shall be charged interest at the maximum
14 legal rate from the date the payment period expires and a further penalty in
15 the amount of one hundred dollars.
- 16 d. The costs assessed as a result of a subsequent Sheriff response to a false
17 complaint or report shall constitute a debt of the false reporter in favor of
18 the County and may be collected in any manner authorized by law and are
19 recoverable in a civil action filed by the County in a court of competent
20 jurisdiction. The remedies provided by this ordinance are in addition to all
21 other administrative, civil and criminal remedies available to the County
22 with respect to the false report which gave rise to the need for the Sheriff
23 response under this ordinance.

24 Section 12. SEVERABILITY. If any provision, clause, sentence or paragraph of this
25 ordinance or its application thereof to any person or circumstances shall be held invalid by a court of
26 competent jurisdiction, the Board of Supervisors intends that such invalidity shall not affect the other
27 provisions of this ordinance which can be given effect without the invalid provision or application, and to
28 this end, the provisions of this ordinance are hereby declared to be severable.

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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on September 15, 2015, the foregoing ordinance consisting of 13 Sections was adopted by the following vote:

AYES: Jeffries, Tavaglione, Washington, Benoit and Ashley
NAYS: None
ABSENT: None

DATE: September 15, 2015

KECIA HARPER-IHEM
Clerk of the Board
BY: *[Signature]*
Deputy

SEAL

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisors Benoit and Jeffries

SUBMITTAL DATE:
September 1, 2015

SUBJECT: Introduction and Adoption of Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events

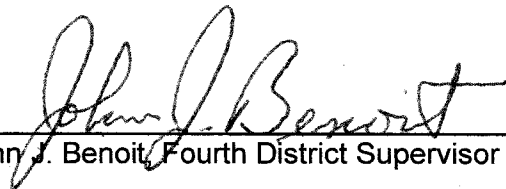
RECOMMENDED MOTION: That the Board of Supervisors introduce and adopt in subsequent meetings Ordinance No. 924, an Ordinance of the County of Riverside Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events

BACKGROUND:

Loud and unruly parties are becoming an increasingly frequent problem in unincorporated areas. This kind of ordinance has proven to be an effective tool for the cities of Moreno Valley, Palm Desert and Coachella to address similar problems in those jurisdictions.

Facing issues of excessive noise, excessive traffic, public drunkenness, alcohol service to minors, fights, litter and disturbances of the peace, the cities of Palm Desert and Coachella introduced identical ordinances that work to shut down unruly parties by giving the Sheriff the ability to charge responsible persons for the costs associated with repeated responses. The City of Moreno Valley has a provision that allows the Sheriff to preemptively contact and warn party promoters of potential penalties for out-of-control gatherings, usually stopping trouble before it begins. These ordinances are tried and true. They have worked so well for these communities that these provisions are being combined into a single ordinance for Riverside County.

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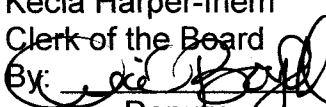

John J. Benoit, Fourth District Supervisor


Kevin Jeffries, First District Supervisor

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: September 1, 2015
xc: Supvr. Jeffries, Supvr. Benoit, Co.Co., COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

BACKGROUND:

This ordinance will:

- Declare loud and unruly gatherings unlawful and a public nuisance, subject to abatement
- Allow the Sheriff to issue courtesy notices for planned events making promoters aware of this ordinance
- Allow the Sheriff to post a "Notice of Public Nuisance" that must remain in a prominent place for 60 days warning that additional offenses may result in abatement
- Allow the Sheriff to recover the actual cost of repeated responses

The intent of this ordinance is to punish the bad actors. There are protections included for those looking to comply with the law. These include:

- Off-site property owners will be notified via mail when a Notice of Public Nuisance is posted on their property and given 14 days to correct the problem before abatement begins
- Hosts who have made all reasonable attempts to remove bad actors will not be considered liable
- Hosts requesting the Sheriff's assistance to remove bad actors following the initial response will not be considered liable
- After receiving a warning, false reporters will be billed for the cost of responding to false reports

Riverside County is seeing an increase in large unpermitted temporary events. These events include concerts, rodeos, races and corporate parties. According to Ordinance 348, temporary events with 200 or more people must obtain a permit. The permitting process for temporary events ensures that applicants consider the community and produce a safe, controlled event. The permitting process requires:

- An application to be submitted 60 days before the event
- A parking plan
- An emergency medical services plan
- A sewage, food service and potable water plan
- A fire protection plan
- A security plan
- A noise, dust and lighting plan
- No operation between the hours of 2 a.m. and 6 a.m.
- A posted bond and insurance

Issues arise because it can be easier and cheaper to conduct large events illegally. Under our current system, the consequence of conducting a large temporary event without a permit is, theoretically, that the party gets shut down. Experience shows that it is very difficult and potentially dangerous for a couple of sheriff's deputies to stop a large group of several hundred people and expect the participants to disperse in an orderly, safe and peaceful manner.

Attractions such as Wine Country and the Coachella Music Festival draw tens of thousands of people to Riverside County every year. Renting large estates to continue the party has become increasingly popular for visitors. This trend has bothered nearby permanent residents who have to suffer through the traffic, noise, late hours and trash associated with these events.

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RE: Introduction and Adoption of Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties,
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The Sheriff's Department has had such success with this in Coachella and Palm Desert that they hope to take this ordinance, if passed, to each contract city for consideration.

Attachments

Ordinance 924

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisors Benoit and Jeffries

SUBMITTAL DATE:
August 18, 2015

SUBJECT: Introduction and Adoption of Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events

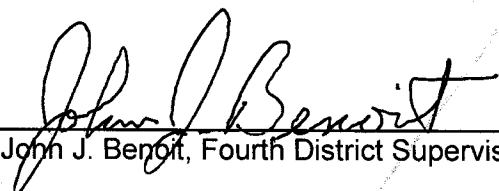
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John J. Benoit, Fourth District Supervisor


Kevin Jeffries, First District Supervisor

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This ordinance will:

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- Allow the Sheriff to issue courtesy notices for planned events making promoters aware of this ordinance
- Allow the Sheriff to post a "Notice of Public Nuisance" that must remain in a prominent place for 60 days warning that additional offenses may result in abatement
- Allow the Sheriff to assess a fee against all liable persons for the cost of repeated responses, including any county medical and equipment replacement costs

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- Off-site property owners will be notified via mail when a Notice of Public Nuisance is posted on their property and given 14 days to correct the problem before abatement begins
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- A posted bond and insurance

Issues arise because it can be easier and cheaper to conduct large events illegally. Under our current system, the consequence of conducting a large temporary event without a permit is, theoretically, that the party gets shut down. Experience shows that it is very difficult and potentially dangerous for a couple of sheriff's deputies to stop a large group of several hundred people and expect the participants to disperse in an orderly, safe and peaceful manner.

(Continues on next page)

RE: Introduction and Adoption of Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Events

Date: August 13, 2015

Page 3

Attractions such as Wine Country and the Coachella Music Festival draw tens of thousands of people to Riverside County every year. Renting large estates to continue the party has become increasingly popular for visitors. This trend has bothered nearby permanent residents who have to suffer through the traffic, noise, late hours and trash associated with these events.

This ordinance will work to curb the tide of party houses and unpermitted events by giving the county a tool to punish bad behavior. Behavior will change when property owners, party goers and party promoters are all subject to suffer the consequences of disturbing neighbors.

The Sheriff's Department has had such success with this in Coachella and Palm Desert that they hope to take this ordinance, if passed, to each contract city for consideration.

Attachments

Ordinance 924



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

August 19, 2015

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
FAX: (951) 368-9018

RE: NOTICE OF PUBLIC HEARING: ORDINANCE NO. 924 REGULATING MULTIPLE
RESPONSES TO LOUD OR UNRULY PARTIES

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Saturday,
August 22, 2015.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE
PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PEC Legals Master <legalsmaster@pe.com>
Sent: Wednesday, August 19, 2015 1:08 PM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: Ordinance No. 924
Attachments: 0010082563.pdf

Good Afternoon,
Proof with cost for your review/records is attached.
Thank you!

Legal Advertising Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note: Deadline is 10:30 AM, three (3) business days prior to the date you would like to publish. **Additional days required for larger ad sizes**
****Employees of The Press-Enterprise are not able to give legal advice of any kind****

The Press-Enterprise PE.COM/UNIDOS
A Freedom News Group Company

From: Gil, Cecilia <CCGIL@rcbos.org>
Sent: Wednesday, August 19, 2015 12:55 PM
To: PEC Legals Master
Subject: FOR PUBLICATION: Ordinance No. 924

Here's the 2nd one...for publication on Saturday, August 22, 2015. Please confirm. THANK YOU!

I made it!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, September 1, 2015 at 9:30 a.m.**, or as soon as possible thereafter, to consider adoption of the following:

SUMMARY OF ORDINANCE NO. 924
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING MULTIPLE RESPONSES TO LOUD OR UNRULY
PARTIES, GATHERINGS OR OTHER SIMILAR EVENTS

This summary is presented pursuant to California Government Code section 25124(b). A certified copy of the full text of Ordinance No. 924 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1st Floor, Riverside, California, 92501.

Ordinance No. 924 adopts regulations related to multiple responses to loud or unruly gatherings in order to restore and maintain peace. Ordinance No. 924 declares loud and unruly gatherings unlawful and a public nuisance, subject to abatement by all reasonable means including, but not limited to, an order requiring the gathering to be disbanded and citation and/or arrest of any law violators under any applicable local law and State statute. The ordinance allows the County to issue courtesy notices for planned events making promoters aware of the ordinance. Under the ordinance, when the Sheriff responds to a gathering which constitutes a public nuisance, the premises at which such nuisance occurred shall be posted with a "Notice of Public Nuisance" that must remain in a prominent place for 60 days warning that additional offenses of the ordinance may result in abatement. The County shall assess a subsequent response fee against all liable persons for the cost of repeated responses to loud and unruly gatherings at the same premises or location in violation of the ordinance. The subsequent response fee shall include the actual costs to the County for law enforcement services incurred as a result of a subsequent response, the actual cost of any medical treatment required by the Sheriff for injuries sustained during the subsequent response, and the actual cost of repairing or replacing any County equipment or property damaged or destroyed during a subsequent response. Ordinance No. 924 states that the filing of a false complaint or report of a public nuisance under the ordinance is prohibited, and repeated violators will be liable for the County's response costs. Ordinance No. 924 would become effective thirty days after its adoption.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the hearing or may appear and be heard in support or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: August 22, 2015

KECIA HARPER-IHEM, Clerk of the Board
By: Cecilia Gil, Board Assistant

Constituent Letters Related to Concerns of Party Houses – BOS 9-1, 9/1/15

Joe, For the last two nights (Friday 4-10 & Saturday 4-11) we have had extremely loud music until 2:00 & 3:00 AM coming from Coachella Fest events across from our home at Laguna Seca. This is very annoying and interrupts our sleep. It is an invasion of our life in our neighborhood. I cannot believe no one cares about the property owners that live here year round supporting all the businesses year round and paying property taxes in Riverside County. It's all about how much revenue these events bring into the valley all at our expense. We have people urinating in our front yard, leaving behind beer bottles, all kinds of trash in front of our house. I am just sick over this. It gets worse every year.

It is unacceptable that we should have to leave our home for three week ends in a row to be able to get a good nights sleep, to avoid the drunks, loud music, wreck less driving, cars speeding down our street, obscene behavior and then worry about the safety of our property on top of it.

Olivia Blecka
78850 Avenue 41
Bermuda Dunes
cell 909-228-7609

Paul
Oswald
August 29, 2015
Judith Fleming
21030 Via Los Laureles
Murrieta, CA
92562

Dear Supervisor Benoit,

We are pleased to hear that you and Supervisor Jeffries are working at ending, or at least subduing the "party house" problem in Murrieta's unincorporated areas. Thank you for taking on this issue. As homeowners in La Cresta, we have felt totally abandoned by the county until now. We have owned our home on Via Los Laureles for over 27 years. Approximately five years ago one of our neighbors, started to use a home adjacent to their personal property and ours as a party house. They advertise on several websites as a rental vacation home perfect for parties, weddings, reunions, etc. We had numerous conversations with Riverside County Code Enforcement who assured us that the owners had been informed that they were allowed to rent out the house but that they could not host parties as that constituted a commercial endeavor in an area that is zoned agricultural/residential, and that permits would be required for large gatherings, and permits for large events (family weddings etc.) are issued only on a limited basis. It was clear to us and our the other households in our neighborhood that the owners were indeed hosting events as evidenced by them receiving rental items for upcoming parties and the reviews pulled from their Plateau Edge websites (those websites and reviews can be provided).

Submitted by _____
9-1-15 (date) Item 9-1

We reported this to Riverside County Code Enforcement with photos and website reviews with no response. After several phone calls and letters from us and several others, we presumed that Riverside County was not longer interested in protecting us from the unrelenting and invasive neighbors.

This is the problem: We moved to La Cresta in 1989 to live where we could hear owls and coyotes, experience less traffic, and enjoy nature. What we hear now is laughter, yelling, sometimes screaming, bottles clanging, dogs barking locked in cars during weddings, amplified music, amplified toasts to the new brides and grooms, delivery trucks for portable toilets (and we get to see them at the bottom of our property), diesel engines idling waiting to retrieve party guests (there were so many guests that our street could not accommodate parking for all the guests), car alarms, the slamming of car doors, and the steady whine of the golf cart reverse alarm. We have experienced cars lining the entire street with no parking left for our own family members or guests, and limos getting stuck on our steeply inclined road while the host drive back and forth in the golf cart retrieving their party-goers. Five homes share our road (including the party house) and we now have traffic, with cars going up and down, frequently pulling into our driveway looking for the party house. Signs with crepe paper and balloons are placed on properties directing party goers and then not retrieved after the party is over.

Life in our neighborhood is nothing like it was before this illegal use of property began. We no longer get to have guests over or retire with doors and windows open due to the noise. We have called the Riverside Sheriff's Department to complain of noise, but feel this is a pitiful abuse of the deputies valuable time and resources. Understandably, they arrive hours after the complaint, when the noise has subsided. For 22 years, living in the country was a beautiful thing, until these neighbors started this commercial activity. They have ruined our neighborhood, and we now feel that our property has been devalued due to the noise and unwelcome guests. We find their lack of community shameful and selfish, not to mention illegal.

Thank you again for helping the members of our community by putting limits on party houses.

Sincerely,

Paul Oswald

Judith Fleming

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: APPEAL Holmstrom

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 9-1

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

September 11, 2015

Honorable John J. Benoit
73-710 Fred Waring Drive, Suite 222
Palm Desert, CA 92260

RE: Support for Proposed Ordinance 924 Regulating Multiple Responses to Unruly Gatherings

Dear Supervisor Benoit,

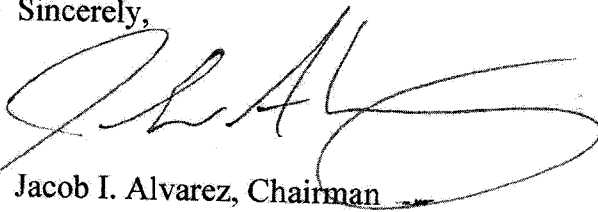
I write to inform you that the Bermuda Dunes Community Council voted unanimously to support proposed Ordinance 924 Regulating Multiple Responses to Loud or Unruly Parties, Gatherings or Other Similar Event at our regularly scheduled meeting on Thursday, September 10.

Residents of Bermuda Dunes have been particularly affected by the noise, trash, drunkenness and other impacts associated with large, unruly parties. The problem is so pervasive that long-time members of the community have sold their homes and moved to get away from the chronic party homes.

Ordinance 924 will be a valuable tool in helping county staff address the problem and restore peace to residents of our area.

On behalf of the Bermuda Dunes Community Council, I thank you and Supervisor Jeffries for introducing this item and urge the Board of Supervisors to approve it.

Sincerely,



Jacob I. Alvarez, Chairman
Bermuda Dunes Community Council

9/15/15 3-3



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

September 16, 2015

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 924

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Monday, September 21, 2015.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PEC Legals Master <legalsmaster@pe.com>
Sent: Wednesday, September 16, 2015 9:26 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: Adoption of Ord. No. 924

Received for publication on Sept. 21. Proof with cost to follow.

Thank you.

Legal Advertising Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note: Deadline is 10:30 AM, three (3) business days prior to the date you would like to publish. **Additional days required for larger ad sizes**

****Employees of The Press-Enterprise are not able to give legal advice of any kind****

The Press-Enterprise PE.COM / UNIDOS

A Freedom News Group Company

From: Gil, Cecilia <CCGIL@rcbos.org>
Sent: Wednesday, September 16, 2015 9:17 AM
To: PEC Legals Master
Subject: FOR PUBLICATION: Adoption of Ord. No. 924

Good morning again,

Adoption of Ordinance, for publication on Monday, September 21, 2015. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SUMMARY OF ORDINANCE NO. 924
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING MULTIPLE RESPONSES TO LOUD OR UNRULY
PARTIES, GATHERINGS OR OTHER SIMILAR EVENTS

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Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **September 15, 2015** the foregoing Ordinance consisting of thirteen (13) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Washington, Benoit and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: B. Holms from

Address: Mead Valley
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____ 3-3

Date: _____ **Agenda #** 2-

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
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I give my 3 minutes to: _____

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