

# YOUR RESPONSIBILITIES: KNOW THE LAW

## Minor in Possession (MIP):

No person under the age of 21 shall attempt to purchase, acquire or have in their possession any alcoholic liquor (Eugene City Code 4.115 or Oregon Revised Statute 471.430), nor have in their system any alcoholic liquor (ECC 4.115).

**Offense:** *Violation*      **Fine:** *Up to \$360*

## Misrepresentation of Age by a Minor:

A person less than a certain age who knowingly purports to be older with the intent of securing a right, benefit or privilege which by law is denied under that certain age (ECC 4.145 or ORS 165.805).

**Offense:** *Crime*      **Fine:** *Up to \$500 (jailable)*

## Giving False Information to a Police Officer:

Knowingly uses or gives a false name, address, or birthdate to an officer issuing a citation (ECC 4.906).

**Offense:** *Crime*      **Fine:** *Up to \$2,500 (jailable)*

## Furnishing Alcohol to a Minor:

No one shall sell, give, or otherwise make available any alcoholic liquor to a person under the age of 21 years (ECC 4.110 or ORS 471.410).

**Offense:** *Class A Misd.*      **Fine:** *Up to \$6,250 (jailable)*

## Allowing Alcohol Consumption by Minors:

No person who exercises control of private real property shall knowingly allow a minor to drink alcohol on the property or remain on the property after consuming (ECC 4.110(3) or ORS 471.410-3).

**Offense:** *Violation*      **Fine:** *Up to \$1,000*

## Disorderly Conduct:

With intent to cause public inconvenience or annoyance or recklessly creating a risk thereof: a) Engages in fighting or violent behavior; b) Makes unreasonable noise; c) Disturbs any lawful assembly; d) Obstructs any vehicular or pedestrian traffic; e) Refuses to disperse when ordered to do so; f) Initiates or circulates a report known to be false regarding fire, crime or other emergency; g) Creates a hazardous or physically offensive condition. Note: "Public" means three or more people disturbed or inconvenienced (ECC 4.725).

**Offense:** *Crime*      **Fine:** *Up to \$1,000 (jailable)*

## Interfering with a Police Officer:

Intentionally acts in a manner that prevents or attempts to prevent a police officer from performing the lawful duties of the police officer with regards to another person; or refuses to obey a lawful order by the police officer (ORS 162.247 and ECC 4.907).

**Offense:** *Class A Misd.*      **Fine:** *Up to \$6,250 (jailable)*

## Open Container/ Consumption in Public:

Consumption of alcoholic liquor or possession of an open alcoholic beverage container is prohibited in all public places and all private property extended to the public for use (ECC 4.190).

**Offense:** *Crime*      **Fine:** *Up to \$500 (jailable)*

## Prohibited Noise:

Intentionally or recklessly creating or continuing any noise disturbance (meaning any sound which injures or endangers the safety or health of a human, or which annoys or disturbs a reasonable person of normal sensitivities). Operating or permitting the use or operation of any device designed for sound production between the hours of 10 p.m. and 7 a.m. that is plainly audible within another dwelling; the same applies on public property or right-of-ways if it is plainly audible at a distance of 50 feet or more (ECC 4.080 and 4.083).

**Offense:** *Crime*      **Fine:** *Up to \$500 (jailable); up to \$1,500 (jailable) for failure to cease within 30 minutes after notice or citation or for a similar noise disturbance within 6 months of receiving a citation.*

## Rioting:

A person commits the crime of riot if while participating with five or more persons the person engages in tumultuous and violent conduct and thereby intentionally and recklessly creates a grave risk of causing public alarm (ORS 166.015).

**Offense:** *Class C Felony*      **Fine:** *Up to \$125,000 (jailable)*

*This brochure does not constitute legal advice and is not intended to serve as a substitute for legal counsel. The information contained herein is provided as a service to the public for informational purposes only, and is not promised or guaranteed to be correct or complete.*



# Partying in Eugene

PROTECT.SERVE.CARE.



## BE SAFE. BE LEGAL.

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# RESPONSIBLE PARTIES:

The Eugene Police Department welcomes students to the community. Over the past several years partnerships have been formed between many agencies and organizations to provide a safe, positive living environment for students residing in Eugene.

Occasionally, parties hosted in and around the campus area have resulted in complaints from neighbors and required police response.

Eugene Police maintain a visible presence in the campus area to conduct education, intervention and enforcement. Individuals violating ordinances or state law are subject to citation, physical arrest, and/or civil fines. Alcohol and noise violations are chronic issues and are specifically targeted. Some of the most frequently violated ordinances and laws are summarized on the back of this brochure.

We hope this information will help you make responsible choices about partying in Eugene.

## Party Management Tips:

- ◆ **Control the guest list.** “Come one, come all” parties usually result in police contact. Have a door monitor to screen guests. Don’t let random people who are walking around looking for a party into your house.
- ◆ **Adults only.** If you choose to serve alcohol, ensure that you only serve to persons 21 years of age or older.

- ◆ **Plan ahead.** Notify neighbors well in advance of the date, times and location of the party. Give them a telephone number and the name of the person to contact if there is a problem (and be responsive to their calls!).
- ◆ **Monitor noise levels.** Keep doors and windows closed to reduce outside noise levels.
- ◆ **Discourage drinking games.** Have a non-drinking person serving alcohol and don’t let people carry alcoholic beverages outside of your party.
- ◆ **Clean it up.** Your neighbors may be more tolerant of your next party if you clean up promptly after this one. Clean up debris from your yard or the street.
- ◆ **Safety first.** If you are concerned for a friend’s medical safety—such as suspected alcohol poisoning—call 9-1-1 immediately.
- ◆ **Prevent drunk driving.** Arrange for transportation by a designated driver *before* anyone drinks. Make sure arrangements are understood by everyone. Ensure people don’t drive under the influence (a person riding a bicycle under the influence also may be arrested for DUII). *As the party host, you are also liable.*



## Police Intervention:

- ◆ If your party gets out of hand, call the police. We will come out and help you regain control.
- ◆ Respond positively if a police officer comes to your house. The officer most likely is responding to a complaint. Make sure the person interacting with police officers at the front door is sober and able to be responsive to officers’ requests.
- ◆ Interfering with police officers makes a bad situation worse. Use common sense and be cooperative.
- ◆ When a police officer asks you to clear an area, leave right away. If you stick around to see what’s happening, you may be in a situation where you are interfering with a police officer. If police warn that they are going to use tear gas, you need to quickly get as far away as you can.

## Personal Safety:

Whenever possible, travel in groups of two or more, especially when attending parties where alcohol is served. At night, park in well-lit parking areas close to your destination. Always lock your car or bike. Never leave valuables in your car.

<b>KNOW WHO TO CALL</b>	<b>EUGENE POLICE DEPARTMENT</b>	
	9-1-1	Emergencies/crimes in progress
	682-5111	Non-emergency Police
	682-5137	Crime prevention
	682-8350	13 <sup>th</sup> & Alder police station
	<b>UNIVERSITY CAMPUS/UOPD</b>	
	346-5444	UO Police Department
	346-0653	Assault Prevention Shuttle
	346-3216	Office of Student Life

Protect.Serve.Care.

## **WATCH OUT:**

*An out of control party can cost you hundreds of dollars in both criminal and civil fines.*

### **Are you hosting a party?**

### **Are you a person responsible for the gathering, in charge of the premises, or the property owner?**

Ordinance Number 20504 (commonly known as Social Host ordinance) holds individuals and property owners accountable for unruly events or social gatherings. It applies equally to all, regardless of where one lives in the City.

Under the ordinance, an “unruly gathering” is:

- one where alcohol is served or consumed, **and**
- where any two or more of the following behaviors occur on the property where the gathering take place or on adjacent property: violations that involve laws relating to sale, service, possession or consumption of alcohol; assault, menacing, harassment, intimidation, disorderly conduct, noise disturbance, criminal mischief, public urination or defecation, littering

The ordinance applies only when multiple law violations are taking place.

**Individuals who host, or organize** an unruly gathering will be liable for a fine on the first and subsequent events and the costs for police and other emergency personnel to respond to the event on the second and subsequent violations within a 12-month period. The ordinance has a criminal penalty (fine) not to exceed \$1,000 and a civil penalty for recovery of actual response costs. The exact criminal penalty amount is determined by the Municipal Court judge and takes into consideration previous convictions under the ordinance and any other extenuating circumstances.

**Property owners** will not face criminal fines under the ordinance, but would potentially be liable for response costs after the fourth violation at the same address within a 12-month period. Penalties for property owners are limited to the civil penalty for recovery of the actual response costs. The ordinance offers specific measures property owners can take when each violation occurs to show

they have made a good faith effort to do so. Whenever a violation of the ordinance occurs, the property owner will be notified that they could face future liability. The goal is to change behavior, not collect civil penalties.

Response costs include costs of law enforcement, fire and other emergency response providers, including but not limited to salaries and benefits for the amount of time spent responding to or remaining at the event, cost of medical treatment for personnel responding to the event, and cost of using or repairing city equipment or property used during the response. Response costs vary but the average police response cost has been calculated at more than \$800.