

MOTION

In 2018, the City Council adopted the Loud and Unruly Gatherings Ordinance in order to regulate "party houses." Party Houses are homes that are used or rented out for parties. These homes are often illegally advertised on home sharing platforms and operate as unpermitted clubs. They often cause significant noise complaints, littering, traffic concerns, and in some instances even illegal drug use, gun violence and death. Although the Loud and Unruly Gatherings Ordinance was supposed to provide the City with an enforcement tool, these houses continue to be a citywide nuisance that disrupt neighborhoods, deplete limited City resources and jeopardize public safety.

The ordinance provides an array of legal tools to penalize property owners and those responsible for organizing the parties through citations and penalties. Unfortunately, owners and/or organizers of party houses continue to flagrantly disobey the law. In the five years that the Loud and Unruly Gatherings Ordinance has been in effect, it has become clear that the fines are not sufficient to deter violation of the law, especially for party throwers that charge attendees and continue to make large profits. For many of these offenders, the fines are just a cost of doing business.

City departments are using their limited resources to try to address this problem, but our current enforcement tools are not strong enough to make an impact. The City Council is awaiting a report back (CF 14-1635-S10) that will make recommendations on potential increased penalties to address unpermitted and non-compliant short term rentals. This report back will be helpful in addressing the party house problem, but the City should also specifically reexamine the Loud and Unruly Gatherings Ordinance.

I THEREFORE MOVE that the City Council instruct the City Attorney and Chief Legislative Analyst, in coordination with the City Administrative Officer and the Departments of Building & Safety, Housing and Planning, report back with recommendations to make enforcement more effective to deter violations of the Loud and Unruly Gatherings Ordinance and the Home-Sharing Ordinance, including increases in fines and other penalties, as well as implementing a cost recovery system that is specific to the enforcement against party houses.

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