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February 9, 2016

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: CONDUCT MERIT HEARING OF ORDINANCE AMENDING CHAPTER 6.75 OF THE MARIN COUNTY CODE (SOCIAL HOST ORDINANCE) BY ADDING THE PROHIBITION OF LOUD AND UNRULY PARTIES WHERE CONTROLLED SUBSTANCES ARE SERVED TO, POSSESSED BY OR INGESTED BY UNDERAGE PERSONS, MANDATING COMMUNITY SERVICE HOURS AT AN APPROVED RESTORATIVE JUSTICE PROGRAM FOR VIOLATIONS BY UNDERAGE PERSONS AND STREAMLINING HEARING PROCEDURES

Dear Supervisors:

RECOMMENDATION: Conduct Merit Hearing of the proposed Ordinance amending Chapter 6.75 of the Marin County Code (Social Host Ordinance) to add controlled substances to the Ordinance's prohibition, mandating community service hours at an approved restorative justice program for underage violators and streamlining hearing procedures.

SUMMARY: Supervisor Damon Connolly requested staff to review the feasibility of the proposed amendments after meeting with Community-Based Prevention Action Team of RxSafe Marin. Health and Human Services staff along with medical director Dr. Matt Willis strongly support the proposed amendments, which will add a prohibition of loud and unruly parties where controlled substances are served to, in possession of or ingested by underage persons and impose civil fines and cost recovery for adult violators and impose mandatory community service at an approved restorative justice program for underage violators of the alcohol and/or controlled substances prohibitions. We also reviewed hearing procedures and are amending them to require a hearing before a County Hearing Officer rather than an Administrative Law Judge since the latter procedure is both costly and inefficient.

It is urged that your Board conduct a merit hearing of the proposed Ordinance, which is titled, "**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN TO AMEND CHAPTER 6.75 OF THE MARIN COUNTY CODE TO: (1) PROHIBIT LOUD OR**

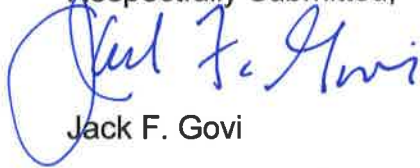
UNRULY GATHERINGS WHERE CONTROLLED SUBSTANCES ARE SERVED TO, INGESTED BY OR IN POSSESSION OF UNDERAGE PERSONS AND AUTHORIZING CIVIL FINES FOR VIOLATION AND IMPOSING CIVIL FEES FOR THE RECOVERY OF COSTS FOR PUBLIC SAFETY RESPONSES TO SUCH GATHERINGS; (2) MANDATE SPECIFIC COMMUNITY SERVICE FOR UNDERAGE VIOLATORS; AND (3) MODIFY HEARING PROCEDURES.” The staff recommendation is that your Board adopt the Ordinance.

FISCAL/STAFFING IMPACT: None. The amendments will actually streamline hearing procedures that were heretofore expensive.

REVIEWED BY:

	Dept. of Finance	X	N/A
X	County Counsel		
	Human Resources	X	N/A

Respectfully Submitted,



Jack F. Govi

Assistant County Counsel