

Social Host Ordinances

6 ESSENTIAL ELEMENTS

Studies indicate that social host laws are among the most effective and recommended ways to reduce underage drinking. Social host liability laws hold individuals who knowingly provide or allow the use of alcohol by minors or intoxicated adults liable for resulting property damage, injury, death or violation fines.

While Illinois state social host laws exist, there are gaps that can be addressed at the local level. Municipal ordinances close that gap by providing a civil remedy. They can establish fines to recoup costs incurred in dealing with the consequences of underage drinking, such as emergency services and law enforcement.

Communities address underage drinking parties with varying ordinances. Some define the ordinance as social hosting, while others define it as a liability for permitting minors to possess or consume alcoholic liquor. Some municipalities include social hosting in the umbrella of activity constituting a public nuisance. Whichever approach your community uses, consider including these six essential elements.

<https://www.prevention.org/alcohol-policy-resource-center/>

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SUBSTANCES INCLUDED

Alcohol is the most used substance by youth. However, a strong Social Host Ordinance should include other substances. You can use terminology such as: Alcohol, Alcoholic Beverage, Illicit Drugs (including prescriptions).



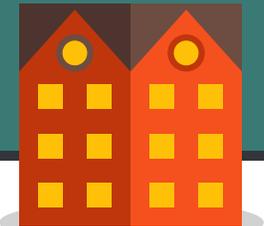
LEGAL DEFINITIONS

Legal definitions expand on specific terms. These terms can include alcohol, alcoholic beverage, conveyance, event or gathering, host, illicit drugs, parent, person, public place, religious ceremony, residence or premises, response costs and underage person.



CONTROLLED AREA

When considering controlled areas to include in a Social Host Ordinance, go beyond the home. Include the following: Residence, Premises, Public Place, Conveyance, Hotel/Motel, and any other premises under his or her control.



PRESENCE OF HOST

Being a host does not require the person (or adult) to be in attendance. To host is defined as: to overtly aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event. Clearly state the host does not have to be present.



PENALTIES

Penalties should be tiered, increasing with each offense. Each day on which, or during which, a violations occurs shall constitute a separate offense.



RESPONSE COSTS

In addition to penalties, response costs should be included. Any person found to be in violation shall be responsible for any and all response costs incurred to investigate the event or gathering.

