
Richmond Social Hosts Ordinance

Frequently Asked Questions

1. What is a Social Host Ordinance (SHO)?

An SHO is a local law that makes it illegal to provide an environment where underage drinking or drug use takes place, regardless of who provides the alcohol, cannabis or other controlled substances.

The social host ordinance does not make it against the law to furnish alcohol or cannabis to individuals under the age of 21. THAT IS ALREADY ILLEGAL. The ordinance makes it illegal to provide an environment where underage or drug use drinking occurs, regardless of who provides the alcohol or drugs.

The Richmond Social Host Ordinance goes a step further. The ordinance makes it illegal to provide an environment where minors consume alcohol, cannabis, or other controlled substances, including prescription and illicit drugs.

2. What is a “Social Host?”

Under Richmond's ordinance, a "Social Host" is a person(s) **who knowingly hosts, permits, or allows the consumption of alcohol, cannabis, or any other controlled substances by minors on the property they control.**

A Social Host in the Ordinance is a "Person responsible for the party, gathering or event" and includes, but not limited to: (1) The person(s) who owns, rents, leases, or otherwise has control of the premises where the party or event takes place; (2) the person(s) in charge of the premises; or (3) the person(s) who organized the event.

3. Can a “Social Host” be under the age of 21?

Yes. A "social host" can be anyone accountable for the property. If a person under 21 owns, leases, or rents space, they'd be responsible for what takes place in that space.

4. How is “gathering” defined in the Richmond Social Host Ordinance?

"Party, gathering or event" means a group of persons assembled or assembled for a party, social occasion, or social activity.

5. If I host a party where alcohol or cannabis is being consumed, how can I avoid breaking the law?

Simple. Don't allow minors to drink alcohol or consume cannabis.

A host must take “reasonable steps” to prevent the consumption of alcohol and cannabis by anyone under the age of 21. Those steps include the following:

- Control Access – Keep alcohol away from minors at your party.
- Control Quantity – Don't buy so much that you lose track of who has what.
- Verify Age – You are responsible for knowing how old everyone is by checking IDs.
- Supervise –You MUST supervise the activities of minors in attendance and ensure they're NOT drinking or using drugs.

If the social host fails to take reasonable steps to prevent alcohol or cannabis possession or consumption by the underage person or persons on property they control. In that case, they could be found in violation of the ordinance.

6. What happens if I find underage drinkers at a party I'm hosting?

If you discover underage people are drinking at your party, ask them to stop. If they refuse, you may need to call the Richmond Police Department.

7. How are social host ordinances enforced? What are the penalties?

When Richmond Police personnel respond to an event where underage people are gathering, and through the normal course of an investigation, they determine that underage alcohol or drug use exists, the individual host of the social event can be issued a citation and charged with violating the Richmond's social host ordinance.

A social host does not have to be 21 years of age to be in violation of the law. On the first offense, social host violations carry a revenue-neutral fine that covers the cost of administration, enforcement, and a follow-up course on preventing youth alcohol and drug use. The person(s) responsible can be convicted of a misdemeanor.

8. How many individuals can receive a citation for each gathering?

One or more hosts can be cited for unlawful gathering if there is evidence of multiple hosts.

9. Will the citations go to the property or the individual host?

The individual host(s).

10. How is the Richmond Social Host Ordinance different from existing laws?

Under current laws, it is illegal to furnish alcohol, marijuana, or controlled substances to individuals under 21. However, in a party setting, it is often difficult or impossible to identify who provided the alcohol, cannabis, or other controlled substances. Therefore, the Richmond Social Host Ordinance assigns responsibility to those who knew or should have known that a party involving underage consumption was occurring on their property.

11. Why does this ordinance target parties that occur at private residences?

Parties and gatherings on private property have repeatedly been identified as a primary source by which youth obtain alcohol, marijuana, or other controlled substances. Youth get alcohol, cannabis, or other controlled substances at parties through friends, older siblings, or adults.

12. Will I be held criminally responsible if my child hosts a party at my home where underage drinking or drug use takes place without my knowledge?

Under the Richmond Social Host Ordinance, parents are not criminally responsible for hosting the party if they are not at home and their child(ren) hosts a party without their knowledge. Through other existing laws, a teen or other person in control of the house could be cited criminally for hosting the party in addition to possessing alcohol, cannabis, or other controlled substances.

However, unrelated to the social host ordinance, they could be sued in civil court under California State law for their child's actions. This law also doesn't change existing civil laws under which adults can be held fiscally responsible for injuries or other consequences that occur regardless of whether they are present or not.

13. If I'm upstairs sleeping and my child sneaks alcohol and/or cannabis into the house, am I responsible?

Adults who knowingly allow underage alcohol, cannabis, or other controlled substances use on their private property will be held responsible. If an adult is not aware that an underage person brought alcohol or drugs onto the property or if the underage person is concealing the alcohol, cannabis, or other controlled substances, that adult will not be held responsible.

14. What if underage users are trespassing on my property?

The provisions of this ordinance shall not apply in the case of a party or gathering consisting entirely of people trespassing on the premises or residence.

15. If all youth are going to consume alcohol and cannabis anyway, isn't it better to "take the keys" and provide them with a safe environment?

No. Driving drunk or drugged is not the only negative outcome of underage drinking. Parties often involve binge drinking (5 or more drinks on one occasion), which greatly increases the risk of alcohol poisoning, accidents and injury, motor vehicle crashes, mixing alcohol with other drugs, violence, sexual abuse, and the practice of unsafe and unprotected sex. Additionally, youth cannabis use is associated with a high risk of developing mental health problems like depression, which is correlated with a higher risk of suicide. Long-term effects include poor academic and social performance and substance-use problems later in life.

16. How does a social host ordinance affect my child if they are at an event where alcohol and/or drugs are present?

Social host ordinances only affect the adult "host" of the event. In this situation, other local and state laws may be applied but are separate from social host.

17. Why should I care about social host ordinances?

Alcohol and cannabis are the drugs of choice for youth, causing harm and death for children. The Richmond Social Host Ordinance can help reduce alcohol harm, crime, and costs attributed to underage drinking.

18. Still have questions?

Contact the AMPD Coalition at NSher@bacr.org or the West County Alcohol and Drug Coalition at AAsif@bacr.org.