



Madison Police Department

Noble Wray, Chief of Police

City-County Building
211 S. Carroll Street
Madison, Wisconsin 53703-3303
PH 608 266 4022
TTY/Textnet 866 275 6529
police@cityofmadison.com
www.cityofmadison.com/police

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To: Members of Common Council and the Alcohol License Review Committee

Subject: **Support of MPD for Ordinance 25.10 Nuisance Party Prohibited**

The Madison Police Department supports this ordinance as providing a valuable tool to address nuisance parties that are disruptive to the safety and order of neighborhoods. The ordinance provides direction for potential party hosts, property owners, as well as officers on what constitutes a neighborhood nuisance party, along with strategies to prevent future nuisance parties.

The intent of this ordinance is written is contained in the body of the ordinance under section 25.10(1) Findings, which states:

Findings. The Madison Common Council finds that there are parties occurring on premises located throughout the city, which are unsafe and are public nuisances to our community. These parties involve large amounts of alcohol beverages that are illegally sold and/or provided to individuals in attendance, including underage individuals. These parties often result in excessive noise levels, dangerous overcrowding of the premise and excessive consumption of alcohol, as well as other law violations. Nuisance parties create a substantial risk to the health and safety of the community and disrupt the peace and tranquility of the neighborhood. This ordinance provides a method for Police to quickly and efficiently abate a nuisance party and provides penalties to those responsible for hosting the parties.

Social gatherings with alcohol consumption that become a nuisance are currently addressed by police with an arsenal of ordinances. These gatherings are often identified by the overwhelming number of ordinance or statute violations that are occurring; although some violations are so egregious as to create a substantial risk to the neighborhood to be deemed a nuisance as a standalone violation, for example weapons offenses. From an enforcement perspective multiple citations are often written to the cover the extent of disorder. There is no specific ordinance that is directed at the behavior of the host(s) that contributed for the crime and disorder to occur. This ordinance addresses the specific issue of the host(s) responsibility.

This ordinance also addresses the responsibility of a property owner to work toward providing safe neighborhoods. The process of notification of a problem residence, along with the provisions that provide for expected follow-up by a property owner shift responsibility to a shared platform, with police working with property owners, and tenants to provide for safe livable neighborhoods. The ordinance requires follow-up by a property owner to address problematic behavior, and prevent future problems. There are no other tools that currently hold property owners responsible to prevent recurrent nuisance behavior from tenants.

A third area of coverage provided with this ordinance is directed at attendees of a party who do not disperse upon direction of police. The safe and orderly disbanding of the nuisance activity is a law enforcement function. This ordinance provides a tool to cite persons who fail to end the nuisance behavior.

This ordinance is similar to ordinances in numerous other communities, generally with less restrictive language to pursue enforcement. These types of ordinances have been in place for several years.