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# City of Madison Registration Statement – Alcohol License Review Committee

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## City of Madison Registration Statement – Alcohol License Review Committee

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### City of Madison Registration Statement – Alcohol License Review Committee

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## City of Madison Registration Statement – Alcohol License Review Committee

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## City of Madison Registration Statement – Alcohol License Review Committee

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January 25, 2012

### DANE COUNTY COALITION CONTINUES IN SUPPORT OF NUISANCE PARTY ORDINANCE

The Dane County Coalition to Reduce Alcohol Abuse is pleased that the Nuisance Party Ordinance is again on the agenda of the Alcohol License Review Committee for January 25, 2012. We appreciate city leaders persisting in their efforts regarding this ordinance.

We respect the majority of the population that does not abuse alcohol. However, we believe that it is imperative for the city to adopt policies that will effectively contribute toward reducing those extreme situations of alcohol abuse which result in great personal and public cost. This ordinance will be an important step toward that goal.

Please refer to the attached copy of our original statement of support dated September 2011. We once again strongly encourage the ALRC to support this ordinance.

Thank you for your attention to this important issue.

For more information contact: Nancy Crassweller, Facilitator Dane County Coalition to Reduce Alcohol Abuse 608.443.4366

The second of th



September 6, 2011

For more information contact: Maureen Busalacchi, DCCRAA Facilitator, 608.443.4361

### Dane County Coalition to Reduce Alcohol Abuse Statement on Nuisance Party Ordinance: Step in Right Direction But Must Go Further

The Dane County Coalition to Reduce Alcohol Abuse (DCCRAA) feels the Nuisance Party Ordinance is a step in the right direction to address dangerous drinking that goes on at house parties in Madison. Holding landlords accountable is a powerful tool in curbing these types of parties. However, this ordinance does not take the necessary step of punishing the host of the party in an effective manner.

To address this, the Coalition proposes that the city also consider adopting a Social Host ordinance, backed by strong evidence and proven effective in numerous cities in Wisconsin and states around the country that have adopted it. Some of the aspects of the Social Host ordinance which would make Madison's approach more effective in reducing dangerous drinking, whether it's on a college campus or at a high school student's parents' home, are as follows:

- "Holds persons civilly responsible who host events or gatherings where persons under 21
  years of age possess or consume alcohol regardless of whether the person hosting the event or
  gathering supplied the alcohol;
- "A person who hosts an event does not have to be present at the event or gathering to be responsible;
- "'Host' or 'allow' means to aid, conduct, entertain, organize, supervise, control or permit a gathering or event;
- "A person is responsible for violating this ordinance if the person intentionally aids, advises, hires, counsels or conspires with or otherwise procures another to commit the prohibited act;
- "Residence, premises or public or private property includes home, yard, farm, land, apartment, condo, hotel or motel room or other dwelling unit, hall or meeting room, park or any other place of assembly whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party of other social function and whether owned, leased, rented or used with or without permission or compensation;
- "Penalties for violating this ordinance include a fine of not less than \$1,000 and not more than \$5,000 if payment is not received a person can be held in jail until costs are paid."

(Manitowoc Social Host Ordinance listed in ACE Report)

The Coalition is pleased the city is working to curb the dangerous drinking that occurs at house parties throughout the city and we hope the city will use opportunity to truly address all types of dangerous drinking parties by adopting the evidence-based Social Host ordinance as well.

Thank you for your time.

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#### **Associated Students of Madison**

4301 Student Activity Center · 333 East Campus Mall · Madison, WI 53715-1380 Phone: 608.265.4276 · Fax: 608.265.5637 · E-mail: asm@studentorg.wisc.edu · www.asm.wisc.edu

Dear Common Council Alders, ALRC members, and others receiving this letter,

The ASM Legislative Affairs Committee has given serious consideration to the proposed Nuisance Party Ordinance. After much discussion and having many questions answered by Mark Woulf, we are in opposition to the proposed Nuisance Party Ordinance.

We commend the creativity of this ordinance and believe that the general concept of making landlords more accountable and present with the tenants is great. We also agree that the actual qualifications for identifying a nuisance party are reasonable and provide a clear definition of such an event.

However, we believe that in general, the legislation is too ambiguous. We are particularly concerned that there are too many potential loopholes for landlords. Despite the clause in 6(b)iii that states "A premise owner shall be prohibited from delegating or otherwise assigning any forfeiture assessed against the premise owner under this section to any occupant/tenant of the premises where the violation occurred," we are worried that landlords will find loopholes, or other ways to write clauses into their leases that would allow for the fines to be indirectly passed on to tenants or occupants.

This particularly worries us in light of the passage of SB107. This legislation only adds to the loss of many tenant rights and creates more barriers to students understanding their rights, which is problematic given the fact that most students do not currently comprehend their rights now.

We understand the intent of this legislation is to target absent landlords. However, the absent landlords are generally the landlords that own huge property companies and can most likely afford to pay a Nuisance Party fine, or in the worst case scenario afford to lose a few tenants. We worry that this legislation will not accomplish its intent of making absent landlords more involved.

However, if it were to make absent landlords more involved, we believe that involving the landlord in this type of situation, particularly landlords that are absent, will only contribute to a negative power dynamic between landlords and student renters. Many students in Madison are new at renting and do not have relationships with their landlords at all, especially the ones uninvolved. The Nuisance Party Legislation could make fines and threats of eviction the only interaction between often absent landlords and student renters, worsening already negative relationships.

In addition, there are no clear guidelines in the legislation that specifically outline the steps a landlord needs to take with a tenant to demonstrate he/she is in fact working with the occupant. Nor are there any clear guidelines demonstrating how the police force should execute this ordinance.

Further, we believe that adding on additional fines for essentially the same thing that police fine for is excessive. A fine will hit most students hard. Increasing a fine will make it harder for the students to pay the fine off, but it is unclear whether this additional fine will actually deter students from having parties in the future. We understand that the statistics are difficult to come by, but we think that it is important to know the rates of reoccurring house parties.

We do not believe that this legislation is in the best interest of students or the city. We ask that you vote against it.

Sincerely, Legislative Affairs Committee, ASM

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10.00 pm

Operator License Application Grace Coleman - Establishment where employed: AJ Bombers Refer to ALRC meeting 3-14-12 Operator License Application Scott B. Vest - Establishment where employed: Grant w condition he fills out a new complete application Operator License Application Bean: Abstairs Paul J. Munchie - Establishment where employed: Kelley Williams Operator License Application Theodore J. Devitt - Establishment where employed: Campus Inn Operator License Application Theodore Ludeman-Tormoen - Establishment where employed: Kelley's Aye-Verveer, Stevenson, Landgraf Market Grant - Roll-Call No - Bean Adjournment Bean/Verveer

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