

**REQUEST TO ADOPT A RESOLUTION TO DOUBLE FINES OF SELECTED MUNICIPAL
CODE SECTIONS ON THE 4TH OF JULY AND NEW YEAR'S EVE HOLIDAY
FOR USE BY THE POLICE DEPARTMENT**

RECOMMENDATION

Staff recommends that Council:

1. Adopt a resolution to double the fines of specific municipal codes sections utilized by the Police Department on the 4th of July and New Year's Eve holidays. Specifically this would involve only those code violations regarding the possession and consumption of alcohol in public places and violation of the noise ordinance.

BACKGROUND

The 4th of July Holiday and New Years Eve are very active enforcement periods for the members of the Police Department. A large number of officers are deployed to maintain order and respond to disturbances on these holidays. In an effort to develop new methods of effective enforcement, the idea of doubling fines of common violations that occur on these two holidays has been suggested.

ANALYSIS

Officers issue a large number of citations on the 4th of July and New Years Eve. Alcohol violations are the most common along the Strand and beach. It is recommended that citations issued on these two holidays should have the fines doubled from their normal amounts. While a judge has the discretion to issue the actual fine, a doubling of the fine amount would give a judge more latitude in determining the fine for the offender. For example, the fine for an open container on the beach is \$100 (plus court mandated penalty assessments, making the overall amount \$320). The judge can issue a fine up to that amount if he/she chooses to do so. If the fine is doubled to \$200, the judge can now issue a fine up to that amount. There are three common municipal code violations used by officers on these two holidays. It is recommended that the fines for the following three municipal code sections be doubled.

- Section 12.20.040 – Alcoholic Beverages on the beach or Strand – current fine \$100
- Section 9.04.010 – Consumption of alcoholic beverages on public streets, playgrounds and places open to the public – current fine \$100
- Section 8.24.030 – Prohibited Noises- General Standard – current fine \$100

While it is not necessary to impose this doubling of fines for a 24 hours period, it is recommended that on July 4 the doubling of fines occur from 1200 hours (July 4) to 0300 hours on July 5. On New Years Eve, it is recommended that the fine amounts be doubled from 2000 hours (8:00 PM) on December 31 until 0300 hours on January 1. The City of Newport Beach doubles their fines on July 4.

FISCAL IMPACT

There may be a slight increase in the amount of revenues received from the courts for the processing of citations issued during these holiday periods. .

Respectfully submitted,

Concur:

MICHAEL LAVIN, CHIEF OF POLICE
HERMOSA BEACH POLICE DEPARTMENT

STEPHEN BURRELL
CITY MANAGER

Fiscal Impact:

Viki Copeland, Finance Director