

ORDINANCE NO. 9810

AN URGENCY ORDINANCE AMENDING SECTION 32.1508 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds that there is a need to amend the County Regulatory Code as described below. The amendments made by this ordinance are intended to correct errors in the specified subdivisions' references to other subdivisions within the same section.

Section 2. The Board of Supervisors further finds and declares that due to the impending holiday season and Christmas/New Year school break, this ordinance is urgent and necessary to protect the public health and safety pursuant to the provisions of Government Code section 25123(d). The amendments need to be effective immediately so the amended ordinances can be properly and effectively applied and enforced. Accordingly, this ordinance shall become effective immediately upon adoption.

Section 3. Section 32.1508 of the County of San Diego Regulatory Code is amended to read as follows:

(a) Any person who violates section 32.1503 of this Chapter is guilty of a misdemeanor.

(b) Any person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to a minor is guilty of a misdemeanor.

(c) Any person who violates subdivision (a) or (b), above, by purchasing an alcoholic beverage for a minor and the minor thereafter consumes the alcohol and thereby proximately causes great bodily injury or death to himself, herself, or any other person, is guilty of a misdemeanor.

(d) Any person who violates subdivision (a) or (b), above, by furnishing an alcoholic beverage, or causing an alcoholic beverage to be furnished, to a minor shall be punished by a fine of one thousand dollars (\$1,000), no part of which shall be suspended, and the person shall be required to perform not less than 24 hours of community service during hours when the person is not employed and is not attending school.

(e) Any person who violates subdivision (c) shall be punished by imprisonment in a county jail for a minimum term of six months not to exceed one year, by a fine not exceeding one thousand dollars (\$1,000), or by both imprisonment and fine.

(f) Pursuant to California Civil Code section 1714.1, any act of willful misconduct of a minor that results in injury or death to another person or in injury to the property of another shall be imputed to the parent or guardian having custody and control

of the minor for all purposes of civil damages, and the parent or guardian having custody and control shall be jointly and severally liable with the minor for any damages resulting from the willful misconduct.

(g) A social host who serves alcoholic beverages to a minor guest may be held liable for injuries sustained by third parties, including County law enforcement personnel, as a result of the minor guest's negligence.

(h) A social host shall be liable for the cost of providing enforcement services in response to a party in which minors have obtained, possessed, or consumed alcoholic beverages. Such costs include reasonable attorneys' fees in the event of litigation.

Section 4. This ordinance shall take effect and be in force immediately after its passage and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of the Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 5th day of December 2006