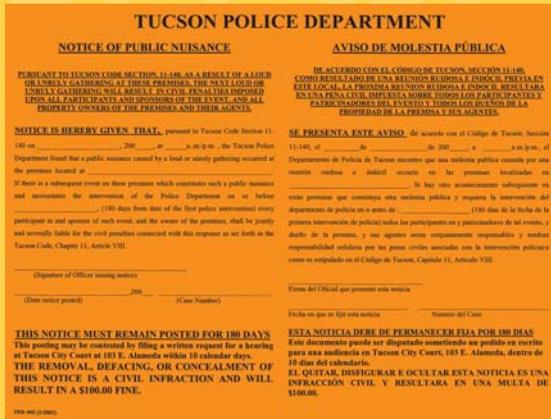


# Planning a Party? Know the Law!



## Who is held responsible if my residence gets red-tagged?

If law enforcement officials determine that a party or event is in violation of the Unruly Gathering Ordinance, the following individuals will be held responsible and will face penalties:

- The person(s) who organized or sponsored the party/event
- The owner of the residence where the unruly gathering occurred, if in attendance at the party/event\*
- The occupant(s) or tenant(s) of the residence where the unruly gathering occurred, if in attendance at the party/event\*
- Any person in attendance at the party/event who engaged in conduct causing the gathering to be unruly

\*This applies to the first citation only. In subsequent violations, these parties are held responsible regardless of their attendance at the party/event.

**Y**ou may have read about it in the *Arizona Daily Wildcat*. It's called "Red Tagging" and it's something you should know about if you're planning to host a party.

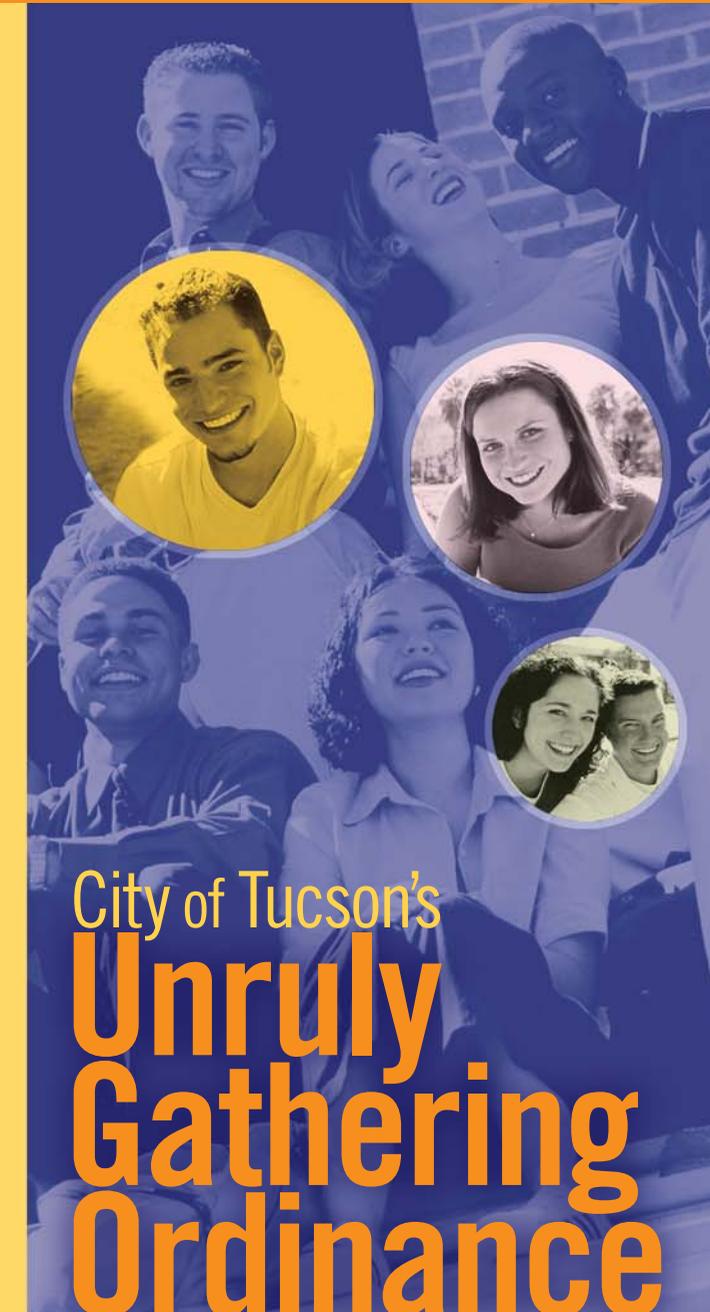
According to the City of Tucson's Unruly Gathering Ordinance, loud or unruly gatherings are unlawful and constitute a civil infraction. This brochure answers some common questions about the ordinance.

## What can I do to prevent my party from becoming an unruly gathering?

U of A students, like all Tucson residents, have an obligation to respect their neighbors' rights, privileges, and property. By following the tips below, students can successfully host their parties and celebration events while still maintaining peaceful and positive relations with their neighbors:

- Keep guest lists to a minimum. If you are planning a large party, inform nearby neighbors in writing at least one week in advanced of the party, and include your phone number so that they may contact you with any concerns.\*
- Respect your neighbors' property and inform your guests that you expect them to do the same.
- Keep noise levels to a minimum.
- Alert law enforcement if there are early signs that a party is getting out of control.
- Make sure that post-party cleanup is completed no later than one day following the party.
- If alcohol is being served:
  - Take steps to ensure that all guests have a safe ride home.
  - Take steps to ensure that guests under the age of 21 do not have access to alcohol.
  - Have food and a variety of non-alcoholic drinks available.
- If a neighbor calls with a complaint while your party is in progress, make every effort to address and resolve the issue that is causing your neighbor distress.

\* Prior notification to neighbors about a party will not excuse a homeowner/tenant from receiving a red tag if that party violates the Unruly Gathering Ordinance.



# City of Tucson's Unruly Gathering Ordinance (RED TAGGING)

# Unruly Gathering Ordinance

(RED TAGGING)



## What constitutes an unruly gathering?

The ordinance defines it as “a gathering of five (5) or more persons on any private property (including property used to conduct business) in a manner which causes a disturbance of the quiet enjoyment of private or public property by any person or persons.” Disturbances include, but are not limited to:

- Excessive noise or traffic
- Obstruction of public streets by crowds or vehicles
- Drinking in public
- Service of alcohol to minors or consumption of alcohol by minors
- Fighting
- Disturbing the peace
- Littering

## What is a red tag?

A red tag is the notice that is posted at the premises where an unruly gathering occurred. By law, it must be posted in a location that is highly visible to the public. A red tag states the following:

- That an unruly gathering occurred on the premises,
- The date of the unruly gathering,
- That any subsequent unruly gathering on the same premises within a 180-day period shall result in further penalties, and
- The right to contest the citation and posting.

## What happens if my residence gets red-tagged?

Once a party or event is deemed in violation of the Unruly Gathering Ordinance by law enforcement officials, a red tag notice will be issued and posted on the premises. This notice of violation will be effective, and must remain posted, for a period of 180 days. Individuals who are found to be responsible for causing the unruly gathering will incur a minimum, mandatory fine of \$100 per individual. Notification of the red tag posting will be sent by certified mail to the property owner advising that any subsequent unruly gathering on the same premises within 180 days of the posting will result in further liability and penalties.

## What will happen if another unruly gathering occurs at my residence during the 180-day period?

If a subsequent red tag is issued to a premises within 180 days of its last citation, the 180-day period from the date of the previous posting will be extended to 180 days from the date of the subsequent posting. Individuals who are found responsible for the occurrence of a subsequent unruly gathering will incur the following:

- A minimum mandatory fine of \$500 for the first subsequent violation,
- A minimum mandatory fine of \$1,000 for the second subsequent violation,
- A minimum mandatory fine of \$1,500 for the third (or more) subsequent violation(s)

## What will happen if I remove the red tag notice prior to the end of the 180-day period?

The owner, occupant(s), or tenant(s) of the residence in violation are responsible for ensuring that the red tag notice is not removed, defaced or concealed during the entire 180-day citation period. Removal, defacement or concealment of a posted red tag notice will result in a minimum mandatory fine of \$100.

## What right do I have to contest a red tag citation?

Any owner, occupant or tenant who feels their residence has been issued a red tag notice unjustly may contest the notice by filing a written petition for review with the civil infractions division of the Tucson City Court requesting that the court determine whether justification existed for issuing the red tag. Petitions must be filed no later than 10 days after the posting of the notice, or if the notice is issued by mail, no later than 15 days after the date of the mailing of the notice. The court will set a time and date for a hearing to be held no later than 15 days after receipt of the written petition, and will notify both the petitioner and the criminal division of the City Attorney's Office.