

MESA POLICE Department Policy Manual	Unruly Gathering and Disruptive Party Enforcement	DPM 2.8.95 Effective 07/07/2012
Approved by: Chief of Police	Chapter: Patrol Operations	Page: 1 of 3

1. PURPOSE

This policy provides Mesa Police Department (MPD) members with guidelines relating to offensive, excessive, and prohibited noises as outlined in City of Mesa (COM) Code of Ordinances Chapter 12 and enforcement procedures for unruly gatherings and disruptive parties or events, including penalties and cost recovery for providing repetitive police service.

2. DEFINITIONS

Unruly Gathering, Disruptive Party or Event: A gathering of two 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.

- Such disturbances include, but are not limited to, excessive noise or traffic, obstruction of public streets by persons or vehicles, drinking in public, the service of alcohol to minors on consumption of alcohol by minors, fighting, disturbing the peace, or littering.

Responsible Party: A person who owns the property, any person in actual or lawful control or possession of the premises, and any person who organized the party, gathering, or event.

- If two or more persons are responsible for the party, gathering, or event, such persons shall be jointly and severally liable for the reasonable costs of a second or subsequent response.
- If the person responsible for the party, unruly gathering, or event is a minor, the parents or guardian having custody or control of the minor shall be jointly and severally liable with such minor for the reasonable costs of a second or subsequent response.
- A responsible party is not liable for costs under this section unless issued a written notice, [DPM 2.8.95A1 Noise Disturbance Brochure](#), as required in [COM City Ordinances Chapter 12](#).

3. ENFORCEMENT

3.1 Officer Responsibilities

- Determine if the gathering meets the criteria of the [COM Code of Ordinances Chapter 12](#).

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- B. Identify and advise the responsible party/owner that the gathering meets the criteria established by the ordinance, including penalties and recovery costs for repetitive police response.
- C. Explain if the responsible party does not take immediate action to resolve the problem it may result in a citation or arrest for violation of city ordinances or state statutes.
- D. If a citation is issued complete a DC1.
- E. If no citation, clear the call with a DC4 and document the following in CAD comments:
 - 1. Responsible party information and how they were identified.
 - 2. Exact address of the incident.
 - 3. Whether the responsible party is a renter or the home owner.
 - 4. Contact phone number.
 - 5. If responsible party agreed to the part or gathering. Approximate number of people and vehicles.
 - 6. If there was alcohol present.
 - 7. If there were minors present.
 - 8. Any other pertinent information to substantiate an unruly gathering/disruptive party was happening.

4. PENALTIES

4.1 Unruly Gathering

- A. The penalty for a responsible party for an unruly gathering shall be a minimum mandatory \$250.00, plus a surcharge as established by the Court.

4.2 Subsequent Unruly Gathering

- A. The penalty for a responsible party for the occurrence of a subsequent unruly gathering shall be a minimum mandatory fine of \$500.00 for a **second** violation.
- B. The minimum mandatory fine for a **third** or subsequent violation is \$2,500.00.
- C. Each subsequent violation shall be a separate offense, punishable as described above.

4.3 Cost Recovery

- A. The Court may, in its discretion, grant cost recovery for law enforcement services and/or establish a surcharge.
 - 1. Actual costs for law enforcement services include emergency and administrative personnel and equipment. This includes appropriate overhead, the actual cost of any medical treatment to injured officers, and the cost of repairing any damaged COM equipment or property.

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- B. The COM may waive the costs of a second or subsequent response if the responsible party initiates a request for a police response and assists the police in dispersing persons attending the disruptive party, unruly gathering, or event.

REFERENCES

- [DPM 2.8.95A1 Noise Disturbance Brochure](#)
- [City of Mesa Code of Ordinances Chapter 12](#)