

*******Special Response Warning and Fine Schedule*******

9.05.020(a) – A gathering of **three or more people**, whereby one or more persons are causing a threat to the peace, health, safety, or general welfare of any member of the public, or their comfortable enjoyment of life or their property. The first warning will serve to admonish you that any additional Police response to your location, within 72 hours, will result in a special response administrative fine of **\$500.00** or, a fee for the response of all personnel and equipment costs, or other damage and expenses incurred by the City, whichever is greater. Pursuant to SCCC 1.05.070, the City, in its prosecutorial discretion, may enforce violation(s) of this provision as a criminal, civil, or administrative action.

Additional responses within one year may result in a graduated administrative fine up to \$1000.00 per response.

	Special Response Ordinance	
Section 9.05.020 (a)	First Response	No Fee
Section 9.05.020 (f)(1)(A)	2nd Response within 72 hours	\$500.00
Section 9.05.020 (f)(1)(B)	2nd Response, after 72 hrs, within 30 days	\$250.00
Section 9.05.020 (f)(1)(C)	2nd Response, after 30 days, within one year	\$150.00
Section 9.05.020 (f)(1)(D)	3rd Response within one year	\$300.00
Section 9.05.020 (f)(1)(E)	4th Response within one year	\$600.00
Section 9.05.020 (f)(1)(F)	5th Response within one year	\$900.00
Section 9.05.020 (f)(1)(G)	Over 5 Responses within one year	\$1000.00

“MINOR IN POSSESSION” RELATED LAWS:

BP 25658(a) – Sell or furnish alcohol to minor

Except as otherwise provided in subdivision (c), every person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor.

BP 25658(b) – Minor purchase or consume alcoholic beverage at on-sale premises

Except as provided in Section 25667, any person under 21 years of age who purchases any alcoholic beverage or any person under 21 years of age who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor.

BP 25662(a) – Minor in possession of alcohol

Except as provided in Section 25667, any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor.

9.05.110(a) – Minor in possession of alcohol at a place not open to the public

Any person, under 21 years of age, consuming or having in their possession any alcohol at any place not open to the public unless supervised by a parent/legal guardian.

9.05.110(b) – Hosting a party on private property where minors possess alcohol

A person allowing or hosting a party at place of residence or other private property under his control where people under 21 years are present and alcohol is in possession of or being consumed by any person under 21 years.

PUBLIC ALCOHOL CONSUMPTION LAWS:

9.05.040(a) – Drinking in public

Drinking any intoxicating liquor when upon any public right-of-way, street, sidewalk, lane, alley, public park or public property up to private property line.

9.05.040(b) – Drinking in private parking lot

Drinking any intoxicating liquor while upon any private parking lot open to the public.

9.05.040(c) – Possession of open container in a City Park

Possession of any open container of alcoholic beverage in any City-owned park or City-owned public place shall be deemed guilty of an infraction.

TOBACCO LAWS:

PC 308(a)(1)(A)(i) - no person or business shall knowingly sell, give, or in any way furnish to another person who is under 21 years of age any tobacco, cigarette, or cigarette papers, or blunt wraps, or any other preparation of tobacco, or any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, tobacco products, or any controlled substance (misdemeanor).

The definition of "Tobacco Product" has been expanded to mean not only a product containing made, or derived from tobacco or nicotine that is intended for human consumption, but also electronic devices that deliver nicotine or other vaporized liquids (whether or not it contains nicotine) to the person inhaling from the device. This means that in addition to traditional tobacco products, products such as e-cigarettes, e-hookah, vape pens, vaping devices, vape tanks/mods, vape atomizers, e-liquids, hookah, etc., are covered by the legislation (BP 22950.S(d)(1) and PC 308).

FAKE / BORROWED IDENTIFICATION LAWS:

BP 25661(a) – Minor present or possess fake/borrowed ID

Any person under the age of 21 years who presents or offers to any licensee, his or her agent or employee, any written, printed, or photostatic evidence of age and identity which is false, fraudulent or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who has in his or her possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a misdemeanor.

VC 13004(a) – Over 21 present fake/borrowed ID

To display or cause or permit to be displayed or have in his possession any canceled, fictitious, fraudulently altered, or fraudulently obtained identification card.

VC 14610(a) – Over 21 present fake/borrowed CDL

(a) It is unlawful for any person:

- (1) To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, fraudulently altered, or fraudulently obtained driver’s license.
- (2) To lend his driver’s license to any other person or knowingly permit the use thereof by another.
- (3) To display or represent any driver’s license not issued to him as being his license.
- (4) To fail or refuse to surrender to the department upon its lawful demand any driver’s license which has been suspended, revoked or canceled.
- (5) To permit any unlawful use of a driver’s license issued to him.
- (6) To do any act forbidden or fail to perform any act required by this division.
- (7) To photograph, photostat, duplicate, or in any way reproduce any driver’s license or facsimile thereof in such a manner that it could be mistaken for a valid license, or to display or have in his possession any such photograph, photostat, duplicate, reproduction, or facsimile unless authorized by the provisions of this code.
- (8) To alter any driver’s license in any manner not authorized by this code.

OTHER:

8.25.030(b) – Disposal of refuse on public or private property

Throw, drop, leave, dump, bury, burn, place, keep, accumulate or otherwise dispose of any refuse upon public property or the private property of another without permission or approval of the property owner.

8.25.040 – Property maintenance

The unsanitary accumulation of refuse.

8.25.080 – Property maintenance

Every garbage container must be stored within an enclosure, or in the side or rear yard of the residence, out of public view. The containers can be brought out to the curb no earlier than 6pm on the evening prior to collection and must be returned to their proper storage area no later than 8pm on the day of collection.

8.30.030(a) – Property maintenance

“Furniture not designed for outdoor use” cannot be stored on property which can be viewed from a public place. This prohibition also applies to household appliances and accumulated garbage or trash. The most common violations for this section include **sofa couches on the front porch, and “beer pong” tables left unattended at the front of the property.**

8.30.030(e) – Property maintenance

Refuse bins left out day after regularly scheduled service.

9.05.010(a) – Urination or defecation in public

It shall be unlawful for any person on any street or any place open to the public to: Urinate or defecate on public property, except at a lavatory facility.

9.05.010(c) – Making loud noise at night

Make, cause, suffer or permit to be made any loud and unreasonable noise within two hundred fifty (250) feet of any building or place regularly used for sleeping purposes **between the hours of 10pm and 7am.**

9.05.060(b) – Amplified sound

A city permit is required for amplified music. This includes music amplified outdoors or indoors and loud enough to be heard outside the building.

10.05.340 – Ride, drive or propel a vehicle across a sidewalk (skateboards excluded).

10.05.430(b) – Pedestrian cross outside of the crosswalk (in or cross road w/in 200’ of crosswalk).

VC 21453(d) – Pedestrian shall not enter roadway against steady circular red.

VC 21456(b) – Pedestrian shall not enter roadway against steady red hand symbol.



Santa Clara Police Department

601 El Camino Real
Santa Clara, California 95050
Front Desk: 408-615-4700
Non-Emergency 408-615-5580
Emergency 9-1-1

**Stay SAFE! Be aware of your surroundings.
Call 911 to report an emergency or suspicious behavior.
Keep valuables secured and doors locked.**

****ATTENTION RESIDENTS****

As is the case in any residential neighborhood, the residents and property owners have a vested interest in the appearance and tranquility of the area in order to maintain their peace, safety, and quality of life. In order to apply a standard in such issues, the following statutes are provided to address the most frequent violations.

Observance of these statutes will help to ensure a safe and peaceful environment for the entire community. Adherence will also allow us to avoid the expense and resource expenditure of enforcement action. Violations of these statutes may lead to fines (up to \$1000 per violation per day for some offenses) or criminal prosecution. Many of these fines also include a progressive/graduating schedule, which increases with subsequent offenses.

Municipal codes can be found at: <http://www.codepublishing.com/ca/santaclara/>