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# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 3, 2005

Mayor Mark D. Boughton  
Members of the Common Council

Re: Underage Drinking Ordinance

The Common Council met as a committee of the whole immediately following a public hearing in the Common Council Chambers in City Hall on April 25, 2005 at 7:05 P.M.

Ms. Saracino made a motion to recommend adoption of the ordinance as presented. Seconded by Mr. Cavo.

Council Members Seabury, Basso, Visconti, Riley, Urice, Saadi and Nolan offered comment on the bi-partisan effort put forth in crafting this ordinance.

Motion carried unanimously.

Respectfully submitted,

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VINCENT P. NOLAN, JR.  
Chairman



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

THAT the Code of Ordinances of Danbury, Connecticut is hereby amended by adding a section to be numbered 12-1.2, which said section reads as follows:

#### **Sec. 12-1.2. Possession of alcohol by minors.**

(a) Findings and Intent. The unregulated possession of alcoholic liquor by minors can be detrimental to the general health, safety and welfare of the residents of the City of Danbury. Consumption of alcohol by minors unsupervised by parental authority may also create a health and safety risk to minors and a public nuisance. The City of Danbury seeks to protect, preserve and promote the quality of life of its residents by regulating the possession of alcohol by minors.

(b) Definitions. As used in this section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

- (1) "Adult" shall have the same meaning as the term defined in section 1-1d of the Connecticut General Statutes, as amended from time to time.
- (2) "Alcoholic liquor" shall have the same meaning as the term defined in section 30-1(3) of the Connecticut General Statutes, as amended from time to time.
- (3) "Head of household" shall mean any person who maintains as said person's home a household, either through an ownership interest, as a tenant or as a licensee, which constitutes the principal place of abode of said person.
- (4) "Host" shall mean to organize a gathering of three or more persons, or to allow the premises under one's control to be used with one's knowledge for a gathering of three or more persons, for personal, social or business interaction.
- (5) "Immediate Family Member" shall mean an individual related by affinity and consanguinity within the first two degrees of kinship as determined by common law.
- (6) "Minor" shall have the same meaning as the term defined in section 30-1(12) of the Connecticut General Statutes, as amended from time to time.

(c) Prohibited acts.

- (1) No minor shall possess any container of alcoholic liquor within the City of Danbury, whether opened or unopened, whether on public or private property, unless such minor:
  - (i) is accompanied by or in the presence of his parent, guardian or spouse who has attained the age of twenty-one years; or
  - (ii) is accompanied by or in the presence of an immediate family member who has attained the age of twenty-one years and who has received express authorization from the parent, guardian or spouse of said minor to permit said person to possess said alcoholic liquor; or
  - (iii) has express authorization from said person's parent, guardian or spouse to permit said person to possess said alcoholic liquor within said person's residence; or
  - (iv) is an Adult and is also a Head of household.
- (2) No person shall host an event or gathering at which the host knowingly allows

alcoholic liquor to be consumed by or dispensed to any minor unless said minor is:

- (i) accompanied by or in the presence of his parent, guardian or spouse who has attained the age of twenty-one years; or
- (ii) accompanied by or in the presence of an immediate family member who has attained the age of twenty-one and who has received express authorization from the parent, guardian or spouse of the minor to permit said person to possess said alcoholic liquor.

This prohibition shall apply to any event or gathering within the City of Danbury, whether conducted on public or private property.

(d) Exceptions. Notwithstanding the above nothing herein shall prohibit:

- (1) the serving or selling of alcoholic liquor by a minor if otherwise permitted by the Connecticut General Statutes; or
- (2) the free exercise of religious worship or ceremony, as protected by the First Amendment to the Constitution of the United States and Article Seventh of the Constitution of the State of Connecticut, which may include the possession or consumption of alcohol by a minor.

(e) Enforcement. The Chief of Police or any member of the Danbury Police Department is charged with enforcing the provisions of this Section.

(f) Violations.

- (1) Any person violating any provisions of this Section shall be subject to a fine of ninety dollars (\$90.00) for each such offense. Each violation of this Section shall constitute a separate offense.
- (2) In the case of violations of Sec 12-1.2 (c) (2), the presence of each minor at such event or gathering shall constitute a separate offense.

(g) Alcohol Abuse Education Funding. All funds collected by the City of Danbury pursuant to any violation of this section shall be earmarked specifically to funding alcohol and substance abuse education programs conducted by the Danbury Police Department within the Department's current youth education programming.