

Baltimore City's New Loud and Unruly Parties Ordinance

New law brings \$500 fine, possibility of 14-day eviction notice

Baltimore City amended its Neighborhood Nuisance law in June 2015 to provide neighborhoods with a more effective tool to address the problems emanating from loud and unruly house parties. Under the new law, police can now write a civil citation on the spot, similar to a speeding ticket, to the property owners, property managers, occupants, and/or tenants when a loud and unruly party takes place.

A loud and unruly party is a gathering of two or more people on private property at which:

- Alcohol is illegally furnished to anyone under 21 or someone under 21 is illegally consuming or possessing alcohol; or
- Conduct is disturbing the peace, including:
 - Excessive noise;
 - Obstruction of public rights-of-way by unruly crowds;
 - Public drunkenness;
 - Assaults, batteries, or other disorderly conduct that disturbs the peace;
 - Vandalism;
 - Littering; or
 - Any other conduct that threatens the health, safety, quiet enjoyment, or general welfare.



Persons Responsible

- The owner, operator, tenant, or occupant of any premises, whether alone or jointly with any other person is a “person responsible” under this ordinance. “Persons responsible” for a loud and unruly party remain liable for violating the ordinance even if they were not present during the event.
- If the person responsible for an unruly event is under 18, they and their parents or legal guardians are jointly and severally liable for the civil penalties imposed by the ordinance.

Penalties

For the first offense, all those cited are subject to a \$500 fine. For the second or subsequent offense within 12 months of the previous offense, all those cited are subject to a \$1,000 fine.



Defense for Owners

Property owners or operators can defend themselves from any fine if:

1. They didn't authorize, know about, or participate in the event, and they prove:
 - a. They regained possession of the property, or
 - b. They filed court proceedings to regain possession of the property and:
 - i. The court has entered a judgment in favor of the owner or operator, or
 - ii. Those court proceedings are still pending at the time of the adjudication, in which case the court may postpone its proceedings until the conclusion of the court proceedings to regain possession.

Consequences for Tenants

A violation of this ordinance is construed as demonstrating a clear and imminent danger that the person responsible or others involved will do serious harm to themselves or others, which allows the landlord to give 14 days written notice to the tenant to vacate the premises.