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Title 5 Chapter 14
SOCIAL HOST ORDINANCE

HELENA

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5-14-1: TITLE:

This chapter shall be known as the *SOCIAL HOST ORDINANCE*. (Ord. 3099, 7-7-2008)

5-14-2: DEFINITIONS:

As used in this chapter, the following definitions apply:

ALCOHOL: An intoxicating agent in alcoholic beverages, ethyl alcohol, also called ethanol, or the hydrated oxide of ethyl.

ALCOHOLIC BEVERAGE: A compound produced and sold for human consumption as a drink that contains more than 0.5 percent of alcohol by volume including beer, liquor, spirits, wine, and table wine.

GATHERING: A party or event, where a group of three (3) or more persons have assembled or are assembling for a social occasion or social activity.

PERSON: Any individual over eighteen (18) years old, firm, association, corporation or any organization of any kind.

PREMISES: Any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, or rented or any other legal or possessory interest.

SOCIAL HOST: Any person who knows or reasonably should know that an underage person is in possession of or is consuming an alcoholic beverage at a gathering on the person's premises.

UNDERAGE PERSON: Any person less than twenty one (21) years of age. (Ord. 3099, 7-7-2008)

5-14-3: DUTY TO NOTIFY LAW ENFORCEMENT:

A social host shall immediately and by the quickest means of communication give notice to the Helena police

department that an underage person is in possession of or is consuming an alcoholic beverage at a gathering on the host's premises. (Ord. 3115, 11-2-2009)

5-14-4: EXCEPTIONS:

Section [5-14-3](#) of this chapter does not apply to the provision of an alcoholic beverage in a nonintoxicating quantity to an underage person by the underage person's parent or legal guardian, physician, or dentist for medicinal purposes, a licensed pharmacist upon the prescription of a physician, or an ordained minister or priest in connection with a religious observance. (Ord. 3099, 7-7-2008)

5-14-5: PENALTIES:

A violation of this chapter is a misdemeanor. Any person who fails to comply with the requirements of this chapter may, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) for each violation and, in addition, may be ordered to pay all costs and expenses involved with the case. (Ord. 3115, 11-2-2009)