

Cass County attorney to draft social host ordinance for board consideration

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Cass County commissioners have agreed to consider enacting a social host ordinance as a way to reduce underage drinking and the often-tragic consequences.

Meeting May 18 at the Wilson Township Hall, the board listened as County Attorney Chris Strandlie explained what a proposed county ordinance could do.

A social host ordinance would make it unlawful to provide an environment where underage drinking takes place. Many parties that involve underage drinking are thrown by young adults in their early 20s who have underage friends.

It has always been unlawful for a person to provide alcohol to anyone under age 21. However, courts have ruled that property owners or parents who allow a party to take place in a home where they know minors will consume, or who do not take away the alcoholic beverages from minors, or who do not stop the party, cannot be prosecuted, because these actions do not fall within the meaning of "providing or furnishing alcohol to minors." These loopholes are why social host ordinances and similar laws are needed.

Recently Minnesota has had several horrific and fatal traffic accidents involving underage drinking. In 2006 the state had no social host ordinances. As of May 5, five counties and 43 cities had ordinances; the closest city is Baxter.

Any county ordinance would not be enforceable within incorporated areas such as cities, but it would apply to non-incorporated areas like townships. Cities would need to adopt a similar ordinance for it to be enforced within their city limits. Violating a social host ordinance would be a misdemeanor.

Strandlie said an ordinance could be written in various ways. One would be so that owners or parents who are not aware that alcohol would be consumed when they are away, would not meet the definition of a host. However if it was found that they knew this would occur, they would be considered a host. Additionally, a family member of the owner who is present could be considered the host, regardless of age.

The board unanimously backed commissioner Dick Downham's motion asking Strandlie to draft a social host ordinance and bring it to the board for consideration.