



## **GENERAL ORDER #18-05 DISTURBANCE OF THE PEACE SECOND RESPONSE NOTICE**

**Date: July 23, 2018**

### **I. PURPOSE AND SCOPE**

The City of Winters adopted WMC Chapter 9.20 “Reimbursement for Police Services” to provide for the reimbursement of costs for police services associated with a second response to loud or large parties on private property.

### **II. POLICY**

Members are encouraged to issue a City of Winters Police Department Disturbance Violation notice upon the initial response to a complaint of a disturbance of the peace caused by large or loud party on private property where it is reasonable to believe a second response may be required. The complaining party does not need to be identified nor indicate they are willing to make a private person’s arrest for disturbance of the peace in order to issue the notice.

### **III. PROCEDURE**

A “Large party” or “loud party” means a gathering or assembly of persons on a premises within the city of Winters at the invitation, request, or consent of the person in charge or control of the premises. Upon an initial response to a large or loud party, the member will identify and contact the responsible party. Responsible party means, in the case of large parties or loud parties, that person or persons in charge of the premises or location, or the person or persons responsible for the event or incident, and shall include any of the following:

1. The person or persons who own the property where the loud or large party takes place.
2. The person or persons in charge of the premises where the loud or large party takes place.
3. The person or persons authorizing the use of the premises for the loud or large party.
4. The person or persons who organized the large party.

If deemed appropriate, the member shall request a case number and record the case number and all pertinent information on a City of Winters Police Department Disturbance Violation notice. The member shall request the signature of the responsible party on the notice; however, the responsible party cannot be compelled to sign the notice. The member shall provide a completed copy of the notice to the responsible party whether the responsible party signed or refused to sign. The member shall submit the original copy of the completed notice to Records.



# *Winters Police Department*

*John P. Miller, Chief of Police*

*702 Main Street, Winters, CA. 95694*

If a second response to the same location is required within 15 days of the original notice, the member shall draft a report documenting the response(s), identifying the responsible party(ies), and any other pertinent information and submit the report to Records with a printout of the Computer Aided Dispatch (CAD) report documenting the initial and subsequent responses and times.

Records will complete an invoice for the applicable fees and deliver the invoice to the responsible party via certified mail. Civil action will be sought against the responsible party for failure to remit the amount of the invoice.

John P. Miller, Chief of Police