

Party Rules

WHAT YOU SHOULD KNOW

The City ordinance prohibiting unruly gatherings (UGO) was designed to control parties in the university area, but it applies to parties at any private dwelling in Eugene including a house, apartment, Airbnb, hotel room, etc. Any host or organizer of a gathering that qualifies as “unruly” may be cited.

This page provides information about the ordinance and court proceedings if you are cited for hosting or organizing an unruly gathering, and the legal help that’s available to you. This information is also useful to *avoid* being cited.

An unruly gathering ticket is not a criminal charge. It’s a violation. If convicted you will be fined. The maximum fine is \$1,000 (base fine \$375). There may also be community service or restorative justice program requirements you will also pay for. Subsequent convictions carry additional financial penalties for response costs. Jail is not a possible penalty.

A conviction does not create a criminal record. However, there may be accompanying criminal citations, such as Noise Disturbance or Furnishing Alcohol to Minors, that can result in criminal penalties and a criminal record until expunged.

UO students can get free legal advice. ASUO Legal Services attorneys help students with legal issues. We provide free consultations and help with unruly gathering citations and any other citations you may get. Call or contact us for free help.

Deferred prosecution can get the charge dismissed. The first time you are cited for an unruly gathering, you may be eligible for a deferred prosecution (diversion program). The result of a successful deferred prosecution is dismissal of the charge. Deferred prosecution may be a good option if you wish to avoid conviction and fines.

Several requirements will be imposed if you agree to a deferred prosecution:

- Admit to and give up your right to dispute the charge.
- Participate in a “restorative justice” program and pay \$150 to the program.
- Pay a \$75 deferred prosecution fee to the court.
- Commit no new related offenses while the case is pending. A deferred prosecution generally lasts six months. If the court agrees at the end of six months that all of the requirements were completed successfully, the charge will be dismissed.

Choice of restorative justice programs. Deferred Prosecution in unruly gathering cases requires completion of a Restorative Justice (RJ) program. There is a community-based RJ program and a campus-based RJ program. The community-based program cost is \$150, while the campus-based program cost is a maximum of \$75 on a sliding scale but it's partnered with the UO Office of Student Conduct.

If permitted, UO students might consider opting for the more expensive community-based program instead of the campus-based program. Bringing a UGO violation to the campus-based program associated with the Office of Student Conduct could tie an off-campus event to the student's on-campus record.

UNRULY GATHERING BASICS

The UGO is in Chapter 4 of the Eugene Code (EC).

EC 4.670 defines the key terms including "unruly gathering", "response costs", "host", and "organize".

EC 4.672 prohibits hosting or organizing an unruly gathering and provides for punishment with fines, community service, and other financial penalties for the party host. It also provides financial penalties for property owners that allow unruly gatherings to recur.

A first conviction is punishable by a fine up to \$1,000, or community service (which may include restorative justice), or both.

It's a defense to an unruly gathering charge that a party host or organizer self-reported by calling police as soon as any of the enumerated underlying offenses occurred.

Second and subsequent convictions within a year are punishable the same as the first, but with mandatory payment of "response costs." Response costs include the cost of police, fire, medical transport, property damage, and other costs that can be associated with law enforcement, fire, or emergency response to the party. Officers on party patrol may be working overtime at increased pay. Even if it was only a small party response, costs can be expensive.

A conviction follows the person. If you are convicted under the UGO at one address then move, a UGO violation at your new address will still be a second violation.

Property owners are also responsible for response costs if the property has been the subject of three prior UGO violations during a twelve-month period. The potential liability of property owners encourages landlords to impose their own additional consequences on tenants who are cited for unruly gatherings, or to refuse to rent to prospective tenants with a prior citation.

WHAT IS AN UNRULY GATHERING?

You may see unruly gatherings sometimes referred to as “oversized” parties. In fact, even a very small party can qualify.

An unruly gathering is “a party or gathering where alcohol is served or consumed, and where any two or more of the following offenses occur on the property or on adjacent property”:

- **Any violation of state or city of Eugene laws relating to the sale, service, possession or consumption of alcoholic liquor**

(includes MIP, furnishing to a minor, open container, etc) **

- **Assault**

(intentional/knowing/reckless physical injury to another person)

- **Menacing**

(words/conduct that intentionally cause another person fear of physical injury)

- **Harassment**

(offensive physical contact, false reports, abusive words/gestures likely to provoke violence, etc.)

- **Intimidation**

(bias crimes)

- **Disorderly conduct**

(obstructing ped or vehicle traffic, fighting/violent/threatening behavior, unreasonable noise, refusing police order to disburse, etc)

- **Noise disturbance**

(music, loud talking, engine noise, etc)

- **Criminal mischief**

(damaging property)

- **Public urination/defecation**

(in or in view of a public place)

- **Littering by a person who attended the party**

(could include dropping your drink on a sidewalk or curb)

- **Unlawful use of fireworks**

(exploding fireworks on any of the prohibited 361 days each year)

**Text in parentheses is intended only as brief descriptions of offenses. Call or contact ASUO Legal Services for a free consultation.

SUMMARY

It's easy for a party, even a small one, to trigger the UGO. One minor with alcohol, or one person on a city sidewalk with anything containing alcohol, combined with loud noise from music or loud talking can be enough.

GET HELP

Talk to an attorney as early as possible to understand the best possible outcomes for your case and to avoid giving up important rights or admitting to crimes or non-criminal violations that could have been dismissed.

If you are cited for having an unruly gathering or other offense, or if you want to discuss strategies to avoid being cited for having a party, call 541.346.4273 or use our contact form.

Think ahead. Know the rules. Avoid getting charged for having an unruly gathering!

KNOW YOUR RIGHTS

If you are confronted or detained by police on the street, in your car, or at your door there are a few simple things you can say to exercise your rights:

- I don't consent to searches.
- I don't answer questions.
- Am I free to leave?
- I want to talk to a lawyer.

Visit the ["Know Your Rights"](#) document for a more comprehensive overview.