



## ***Underage Drinking and Drug Abuse***

Underage drinking and drug abuse, and the deaths, injuries and damages resulting are major problems in all areas of our nation. In an effort to curb underage drinking and drug use in our community, the Wyoming Police Department implemented a “Zero-Tolerance” policy. Following are some questions that are frequently asked about underage drinking laws and enforcement.

### ***Frequently Asked Questions***

1. At what age can a person legally drink alcoholic beverages, including beer, wine and liquor in Ohio?

**ANSWER:** 21 years of age and older, except under the circumstances noted below.

2. Under what circumstances can a person under 21 years old drink alcoholic beverages in Ohio?

**ANSWER:**

- If the person consumes the alcohol ‘in the presence’ of their parent, legal guardian, or a spouse who is over 21 years old,
- If the alcohol consumption is part of a recognized religious service, or
- The alcohol is prescribed for medical treatment by a doctor.

3. I have a son/daughter who is having a high school graduation party at our house. They and all of their friends are under 21 years old. Can they drink alcoholic beverages if they bring their own (BYOB) and it is not provided by me?

**ANSWER:** NO, unless those attending the party bring a parent or legal guardian with them. Even if the underage guests BYOB you as the property owner, renter, occupier CANNOT allow them to consume alcohol on your premises.

4. My 17 year old son/daughter would like to have a graduation party with beer, but I heard I can get in trouble if I let him/her. Is this true?

**ANSWER:** Wyoming City Ordinance 529.02B states, “NO PERSON WHO IS THE OWNER OR OCCUPANT OF ANY PUBLIC OR PRIVATE PLACE SHALL KNOWINGLY ALLOW ANY UNDERAGE PERSON TO REMAIN IN OR ON THE PLACE WHILE POSSESSING OR CONSUMING BEER OR INTOXICATING LIQUOR, UNLESS THE INTOXICATING LIQUOR OR BEER IS GIVEN TO THE PERSON...BY THAT PERSONS PARENT...AND

THE PARENT...IS PRESENT AT THE TIME OF THE PERSONS POSSESSION OR CONSUMPTION OF THE BEER OR INTOXICATING LIQUOR.”

This is known as the “KEG LAW” and/or the Social Host Law and states clearly that your son/daughter can have beer if you give it to him/her and you are at the house. Their friends can’t drink, or even have beer in their possession unless their parents are also at the party and give the beer to them. The Wyoming Police Department maintains a proactive enforcement stance on alcohol and drug violations, and we WILL charge parents who allow underage drinking with their knowledge or while they were present at the party. If the parents are not home, we will charge a juvenile or underage adult living at the residence who allows underage drinking in the home with the “KEG LAW”. Juveniles or underage adults found drinking or in possession of alcohol will also be arrested and charged, most likely with, “underage possession or consumption of alcohol”. The “KEG LAW” is a first degree misdemeanor and is punishable by up to 6 months in jail and/or a \$1,000.00 fine.

We are not trying to discourage juvenile parties, but parents have to supervise and ensure underage drinking is not taking place. The party can be just as much fun without alcohol. If your son or daughter is planning on attending a juvenile party, contact the party giver and verify that the parent will be present and that alcohol and other drugs will not be permitted.

5. Regarding Questions #3 and #4 above, What if the parents of the underage guests sign a letter giving them permission to drink alcohol at the party. Is this OK?

**ANSWER:** NO; the only way the underage guests can drink alcohol at your house is if they have a parent, guardian or spouse 21 years old or over PHYSICALLY PRESENT with them at the party.

6. I am over 21 years old and have some friends who are under 21. Can I legally purchase or provide beer or other alcoholic beverages for them?

**ANSWER:** NO, unless you are the parent, guardian or spouse of those you are buying the alcohol for. Even under those circumstances the friends cannot drink the alcohol unless they are “in the presence of” a parent, legal guardian or spouse who is 21 or older.

Also, it is illegal for anyone under the age of 21 to pay for, share the cost of, or attempt to purchase any beer or intoxicating liquor, or consume, possess, or be under the influence of any beer or intoxicating liquor, in any public or private place. (Wyoming City Ordinances 529.02 and 529.021)

7. What are the legal processes and penalties for violating the law concerning underage use of alcohol?

**ANSWER:** If the underage user is under 18 years old they can be charged and prosecuted in Juvenile Court. If they are 18 but less than 21 years old they could be charged and prosecuted in Mayor’s Court or in Municipal Court. The same is true for those who purchase, provide, OR allow under age consumption on their property. Most violations of underage alcohol laws are Misdemeanors of the 1st degree carrying possible jail confinement of 6 months and/or a \$1,000 fine.

8. In addition to being charged with a crime could I also be sued if I violate an underage alcohol law?

**ANSWER:** YES, for example if you host or allow a party at your house where alcohol is consumed by underage guests (REGARDLESS of who supplies the alcohol), you could be sued if any harm, injury, or death results from the alcohol consumption. Such a lawsuit could seek substantial monetary damages from you and any others who were involved in violating the law.

9. Where can I get more information about laws that pertain to underage alcohol purchase, possession, use, or consumption?

**ANSWER:** The Codified Ordinances of the City of Wyoming contains these laws. In particular, Chapter 529 contains most of the information concerning underage alcohol possession and use. Penalties can be found in Chapter 501.99. These and other related laws can be found on the internet at <http://www.conwaygreene.com/wyoming.htm>.

You can also get more information by typing "**Parents Who Host, Lose the Most**" into your internet search engine you will find numerous websites, news releases and other information concerning underage alcohol consumption.

If you have additional questions, you can contact the Wyoming Police Department at 821-0141 or the Wyoming Youth Services Bureau at 821-2428.