



**COUNCILMEMBER CHRIS CATE
CITY OF SAN DIEGO
SIXTH DISTRICT**

M E M O R A N D U M

DATE: April 5, 2018

TO: Honorable Mayor Kevin L. Faulconer

FROM: Councilmember Chris Cate, Chair, Committee on Public Safety and Livable Neighborhoods *Chris Cate*

SUBJECT: Request for Draft Language for Marijuana Advertisement Regulation Proposals

With the full implementation of Proposition 64 and the commencement of legal recreational marijuana sales on January 1, 2018, it is important that the City continue to offer reasonable solutions and regulations to help shut down illegal operations to ensure the safe and legal access of marijuana.

Although the City has passed ordinances to regulate marijuana outlets and production facilities, we have yet to adequately address the regulation of marijuana related advertisements. The State's rules regulating the advertisement of licensed marijuana outlets remain inadequate for the City to effectively regulate all marijuana related advertisements, and do not provide enough tools for local governments to eliminate the advertisements of illegal, unpermitted marijuana operations.

As such, I am putting forward proposals for marijuana advertisement regulations in order to supplement existing State law that will provide the City with a greater ability for local control. The proposals are aimed at achieving two main goals; to better regulate and restrict where all marijuana-related billboard advertisements are located by aligning marijuana billboard regulations with the City's current alcohol billboard restrictions, and to shut down advertisements that are associated with illegal and unpermitted marijuana outlets and delivery services.

These proposals are fair and reasonable regulations that will provide Code Enforcement Division and the San Diego Police Department with additional tools to better regulate marijuana advertisements within our City.

I respectfully request to work with your office and appropriate City staff to create draft ordinance language that is reflective of my proposals and the goals they aim to achieve. I also respectfully request the City Attorney's office work with staff to evaluate these proposals and assist in the process of drafting ordinance language.

Cc: Honorable City Attorney Mara Elliott
Andrea Tevlin, Independent Budget Analyst
David Nisleit, Chief of Police
Mike Hansen, Director, Planning Department
Michael Richmond, Code Enforcement, Deputy Director, Development Services Department
Jessica Lawrence, Director of Council Affairs, Office of the Mayor
Jen Lebron, Director of Public Safety Policy, Office of the Mayor