



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

**M E M O R A N D U M**

**DATE:** January 9, 2018

**TO:** City Attorney Mara Elliott

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

**SUBJECT:** Explore Opportunities for Collaboration with or Legal Action against Online Platforms Advertising Illegal Marijuana Deliveries

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At the December 6, 2017 Public Safety and Livable Neighborhoods Committee meeting, we received an informative update on illegal marijuana delivery service enforcement from the City Attorney's office and the San Diego Police Department about the collaboration currently underway to enforce the City's Municipal Code pertaining to marijuana delivery services.

With the commencement of recreational marijuana sales on January 1, 2018, the City should explore opportunities to address online platforms that advertise illegal marijuana delivery services and provide consumers access to the illegal and unpermitted marijuana delivery market.

Currently, online platforms, such as Weedmaps, serve as online advertising platforms for hundreds of marijuana delivery services that do not have a corresponding Conditional Use Permit in the City of San Diego. A majority of these delivery services are illegal under San Diego Municipal Code Section 141.0504(j) which specifies that, "deliveries shall be permitted as an accessory use only from marijuana outlets with a valid Conditional Use Permit." Enforcement of our City regulations ensures safe access to legal marijuana and that the City of San Diego receives the tax revenue that helps pay for enforcement and essential City services.

Several Councilmembers at the December 6<sup>th</sup> Public Safety and Livable Neighborhoods Committee meeting spoke about the importance of addressing these online platforms. I respectfully request that the City Attorney's office explore opportunities to collaborate with online platforms advertising illegal marijuana deliveries to gain voluntary compliance, and, if appropriate, pursue legal action against these platforms. Cities, such as Los Angeles, have been successful in the past in shutting down online illegal marijuana delivery platforms through lawsuits. This avenue should be furthered explored in the City of San Diego.