

(R-82-2185)

RESOLUTION NUMBER R- 256672

Adopted on JUN 29 1982

WHEREAS, it has been requested that the City Council adopt an ordinance prohibiting the possession, sale or display of drug paraphernalia to be patterned after the Federal Drug Enforcement Administration's Model Drug Paraphernalia Act; and

WHEREAS, the City Attorney has concluded that enacting such an ordinance would conflict with provisions in existing state law; and

WHEREAS, the City Attorney has recommended appropriate language be adopted by the Legislature to eliminate the conflict between the Model Drug Paraphernalia Act and state law; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Intergovernmental Relations Department is directed to find an appropriate vehicle in the Legislature to carry the following language amending Section 11364.5 of the Health and Safety Code as provided by the City Attorney:

"Nothing in this Act or any other provision of the law shall invalidate an ordinance or be construed to prohibit the adoption of an ordinance by a city or county or a city and county prohibiting the sale or display of items described in Section 11364.5 of the Health and Safety Code."

BE IT FURTHER RESOLVED, that the Intergovernmental  
Relations Department is directed to work towards the adoption of  
said language by the Legislature

APPROVED: John W. Witt, City Attorney

By   
John M. Kaheny, Deputy

JMK:ib:506  
6/16/82  
Or.Dept:Mayor  
Form=r.none

JUN 29 1982

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Barbara Berridge* Deputy.

Office of the City Clerk, San Diego, California

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