

Article 8: Minors

Division 7: Restricting the Advertising of Cannabis and Cannabis Products

(“Restricting the Advertising of Cannabis and Cannabis Products” added 1-30-2020 by O-21174 N.S.; effective 07-28-2020.)

§58.0701 Purpose and Intent

It is the purpose and intent of this Division to promote and protect the health, safety, and welfare of youth in the City of San Diego by regulating the location of *billboards advertising cannabis* or *cannabis products* in areas where youth play and attend school. It is further the intent of this Division to reduce youth exposure to *billboards advertising cannabis* or *cannabis products* by establishing additional regulations beyond those provided in state law to include an expanded list of prohibited locations, and criminal and civil consequences for non-compliance.

It is not the intent of this Division to supersede or conflict with state law, but to implement a local ordinance allowing the City of San Diego greater ability to enforce restrictions on *billboards advertising cannabis* or *cannabis products* to youth to help prevent the illegal consumption and purchase of *cannabis* or *cannabis products* by youth.

(“Purpose and Intent” added 1-30-2020 by O-21174 N.S.; effective 7-28-2020.)

§58.0702 Definitions

For purposes of this Division, defined terms appear in italics. The following definitions apply in this Division.

Advertising has the same meaning as in San Diego Municipal Code section 58.0501.

Billboard has the same meaning as in San Diego Municipal Code section 58.0501.

Cannabis has the same meaning as in California Business and Professions Code section 26001.

Cannabis products has the same meaning as in California Health and Safety Code section 11018.1.

Day care center has the same meaning as in California Health and Safety Code section 1596.76.

Playground has the same meaning as in San Diego Municipal Code section 58.0501.

Property line has the same meaning as in San Diego Municipal Code section 113.0103.

Public park has the same meaning as in San Diego Municipal Code section 113.0103.

School means any public or licensed private facility providing instruction in kindergarten or any grades one to 12, inclusive.

Youth center has the same meaning as in California Health and Safety Code section 11353.1.

(“Definitions” added 1-30-2020 by O-21174 N.S.; effective 7-28-2020.)

§58.0703 Measure of Distance

The distance between any *billboard* and any *school, playground, public park* that contains a *playground, day care center, or youth center* shall be measured in a straight line, without regard to intervening structures, from the *billboard* to the closest *property line* of the *school, playground, public park* that contains a *playground, day care center, or youth center*.

(“Measure of Distance” added 1-30-2020 by O-21174 N.S.; effective 7-28-2020.)

§58.0704 Advertising Restrictions

It is unlawful for any person, business, or retailer to place or maintain, or cause to be placed or maintained, any *advertising of cannabis or cannabis products* on a *billboard* that is within 1,000 feet of a *school, playground, public park* that contains a *playground, day care center, or youth center*. This section does not apply to any non-commercial message.

(“Advertising Restrictions” added 1-30-2020 by O-21174 N.S.; effective 7-28-2020.)