

ORDINANCE NO. _____

An ordinance adding a new Article 6 to Chapter 3 of Division 7 of the Los Angeles Administrative Code to prohibit the advertising of alcoholic beverages on City-owned and City-controlled property.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Article 6 is added to Chapter 3 of Division 7 of the Los Angeles Administrative Code to read as follows:

CHAPTER 3, ARTICLE 6

ALCOHOL BEVERAGE ADVERTISING PROHIBITION

Sec. 7.400. Purpose and Findings.

The City of Los Angeles has an interest in reducing alcohol abuse and underage drinking by mitigating risk factors.

According to a May 2011 report from the United States Department of Health and Human Services on the prevention and reduction of underage drinking, alcohol continues to be the most widely used substance of abuse among America's youth, a greater proportion of whom use alcohol than use tobacco or other drugs. The report also indicated that: (1) binge drinking is the most common underage consumption pattern; (2) underage drinking increases the likelihood of risky sexual activity; (3) early initiation of alcohol use increases the risk of alcohol dependence later in life; (4) underage drinking affects academic performance; and (5) the greatest single mortality risk for underage drinkers is motor vehicle crashes.

In addition, according to the Surgeon General's 2007 Call to Action to Prevent and Reduce Underage Drinking, alcohol is the most widely used substance of abuse among America's youth, and the latest research demonstrates a compelling need to address alcohol use early, continuously and in the context of human development using a systematic approach that spans childhood through adolescence into adulthood.

According to a March 2011 report by the Los Angeles County Department of Public Health, the total economic cost of alcohol use is \$10.8 billion annually in Los Angeles County, translating to roughly \$1,000 per resident or \$3,100 per family each year. The Los Angeles County report further found that exposure to alcohol advertising influences beliefs of youth about alcohol and their intention to drink, and that reducing alcohol advertising in public places and in areas commonly seen by minors reduces youth exposure to alcohol advertising.

In the City of Los Angeles, the 2010 United States Census indicated that 26.2 percent of the population of the City of Los Angeles are under the age of 19 and that 19 percent of the population of the City of Los Angeles are under the age of 14.

Given the number of youth in the City of Los Angeles who are susceptible to alcohol advertising, as well as the general impact of alcohol advertising on alcohol use, the City can play a role in reducing exposure of youth and others to alcohol advertisements by voluntarily prohibiting the advertising of alcoholic beverages on real or personal property, including buses and other vehicles, that is either owned by the City, or under the City's control.

Sec. 7.401. Alcohol Beverage Advertising Prohibition.

(a) No advertising of alcoholic beverages shall be allowed on any City-owned or City-controlled real or personal property, including buses and other vehicles, except as exempted in Section 7.402 of this article. For purposes of this article, "alcoholic beverage" shall be as defined in California Business and Professions Code Section 23004, and shall not include cleaning solutions, medical supplies, and other products and substances not intended for drinking.

(b) The prohibition on advertising of alcoholic beverages shall only apply to those leases, permits, contracts or other agreements entered into, renewed, or materially amended after the effective date of this article.

Sec. 7.402. Limitations.

(a) The provisions of this article shall not apply to any advertisement designed primarily to: (i) communicate the health hazards of alcoholic beverages; (ii) encourage people not to drink alcoholic beverages, or to stop drinking alcoholic beverages; or (iii) publicize drug or alcohol treatment or rehabilitation services.

(b) City-owned or City-controlled real property used for operation of a restaurant, concert, sports or entertainment venue, or other City-owned or City-controlled property where the sale, production or consumption of alcoholic beverages is permitted, shall be exempt from the prohibition of this section.

(c) Advertising associated with a Special Event permitted pursuant to Sections 41.20 and 41.20.1 of the Los Angeles Municipal Code where the sale, production or consumption of alcoholic beverages is permitted shall be exempt from the prohibition of this section.

(d) City proprietary departments and departments that control their own funds shall be exempt from the prohibition of this article, but are strongly encouraged to adopt advertising policies consonant with the provisions of this article.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk


By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
EDWARD M. JORDAN
Assistant City Attorney

Date 11/4/2014

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