

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING CHAPTERS 9.04 AND 9.07, AND DELETING CHAPTER 9.65 OF THE RIVERSIDE MUNICIPAL CODE.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 9.04.230 of the Riverside Municipal Code is hereby amended as follows:

**“Section 9.04.230 Display and sale of drug paraphernalia.**

A. *Purpose.* Regulating business establishments that display or offer for sale drug paraphernalia is a reasonable and necessary means to protect and promote the general welfare of the children and minors of the City of Riverside exposed to ~~controlled substances, illegal drugs~~. The regulations promote the general welfare and temperance of children and minors and are intended to help reduce the ~~improper illegal~~ consumption and purchase of ~~controlled substances illegal drugs~~ by children and minors by limiting their exposure to drug paraphernalia.

B. *Definitions.* The following words and phrases, whenever used in this section, shall be construed as defined in this section.

1. *Drug paraphernalia*, including but not limited to one or more of those items identified in that list set forth subparagraph 3 below, shall mean any device designed primarily for use by individuals for the smoking or ingestion of ~~cannabismarijuana~~, hashish, hashish oil, cocaine, or any other "controlled substance," as that term is defined in the Health and Safety Code of the State of California.

2. *A device* "designed primarily for" the smoking or ingestion set forth subsection B.1 above is a device, which has been fabricated, constructed, altered, adjusted, or marked especially for use in the smoking or ingestion of ~~cannabismarijuana~~, hashish, hashish oil, cocaine, or any other "controlled substance," and is peculiarly adapted to that purpose by virtue of a distinctive feature or combination of features associated with drug paraphernalia, notwithstanding that it might also be possible to use the device for some other purpose.

...”

1           Section 2: Section 9.07.010 of the Riverside Municipal Code is hereby amended as follows:  
2 The City Council finds as follows:

3 **“Section 9.07.010 Findings.**

4 A.     The occurrence of parties, gatherings, or events on private property where alcoholic  
5 beverages, ~~cannabis~~~~marijuana~~ or other controlled substances are consumed by minors, are harmful  
6 to the minors themselves and a threat to public health, safety, quiet enjoyment of property, and  
7 general welfare.

8     ...

9 C.     Persons responsible for the occurrence of such gatherings often fail to take reasonable steps  
10 to prevent the consumption of alcoholic beverages, ~~cannabis~~  
11 ~~marijuana~~ or other controlled substances by minors at these gatherings.

12 D.     The ability of police officers to control gatherings on private property where alcoholic  
13 beverages, ~~cannabis~~ ~~marijuana~~ or other controlled substances are consumed by minors is necessary  
14 when such activity is determined to be a threat to the peace, health, safety, or general welfare of the  
15 public.

16 E.     Gatherings involving consumption of alcohol, ~~cannabis~~ ~~marijuana~~ or other controlled  
17 substances by minors, as defined by this chapter, are unlawful and constitute a public nuisance  
18 pursuant to state law and the provisions of this Code.

19     ...”

20           Section 3: Section 9.07.020 of the Riverside Municipal Code is hereby amended as follows:  
21 The City Council finds as follows:

22 **“Section 9.07.020 Authority and purpose.**

23     ...

24 B.     The purpose and intent of this chapter is to protect public health, safety, and general welfare  
25 of people and premises in the City, including the quiet enjoyment of property by  
26 enhancing the ability of law enforcement to deter the consumption of alcohol, ~~cannabis~~ ~~marijuana~~  
27 or controlled substances by minors, and reducing the costs of providing police, fire, and code  
28 enforcement services to parties, gatherings, or events by requiring hosts, tenants, and property

1 owners to ensure that minors are not consuming alcoholic beverages, ~~cannabis~~marijuana or other  
2 controlled substances.”

3 Section 4: Section 9.07.040 of the Riverside Municipal Code is hereby amended as follows:  
4 **“Section 9.07.040 Consumption of alcohol, ~~cannabis~~marijuana or other controlled substance by**  
5 **minors prohibited in public place, place open to public, or place that is not open to public.**

6 Except as permitted by State law, it is unlawful for any minor to:

7 A. Consume at any public place or any place open to the public any alcoholic beverage,  
8 ~~cannabis~~marijuana, or other controlled substance; or

9 B. Consume at any place that is not open to the public any alcoholic beverage, unless in  
10 connection with the consumption of the alcoholic beverage that minor is being supervised by his or  
11 her parent or legal guardian.”

12 Section 5: Section 9.07.050 of the Riverside Municipal Code is hereby amended as follows:  
13 The City Council finds as follows:

14 **“Section 9.07.050 Hosting, permitting, or allowing a party, gathering, or event where minors**  
15 **consume alcoholic beverages, ~~cannabis~~marijuana or other controlled substances prohibited.**

16 A. *Imposition of duty and violation.*

17 1. It is the duty of any person having ownership or control of any premises, who hosts, permits,  
18 or allows a gathering at said premises to take all reasonable steps to prevent the consumption of  
19 alcoholic beverages, ~~cannabis~~marijuana or other controlled substance by any minor at the gathering.  
20 Reasonable steps are controlling access to alcoholic beverages, ~~cannabis~~marijuana or other  
21 controlled substances at the gathering; controlling the quantity of alcoholic beverages present at the  
22 gathering; verifying the age of persons attending the gathering by inspecting driver's licenses or  
23 other government-issued identification cards to ensure that minors do not consume alcoholic  
24 beverages while at the gathering; prohibiting the possession and/or use of ~~cannabis~~ marijuana—or  
25 other controlled substance at the gathering; and supervising the activities of minors at the gathering.

26 2. It is unlawful for any person having ownership or control of any premises to host, permit, or  
27 allow, tacitly or otherwise, a gathering to take place at said premises where at least one minor  
28 consumes an alcoholic beverage, ~~cannabis~~marijuana—or other controlled substance whenever the  
person having ownership or control of the premises either knows a minor has consumed an alcoholic

1 beverage, ~~cannabismarijuana~~ or other controlled substance or reasonably should have known that a  
2 minor consumed an alcoholic beverage, ~~cannabismarijuana~~ or other controlled substance, had the  
3 person taken all reasonable steps to prevent the consumption of an alcoholic beverage,  
4 ~~cannabismarijuana~~ or other controlled substance by a minor as set forth in subsection A.1. of this  
5 section.

6 ...”

7 Section 6: Chapter 9.65 of the Riverside Municipal Code entitled “Mobile Marijuana  
8 Dispensaries” is deleted in its entirety.

9 Section 7: The City Council has reviewed the matter and, based upon the facts and information  
10 contained in the staff reports, administrative record, and written and oral testimony, hereby finds that  
11 this ordinance is not subject to CEQA pursuant to Section 15061(b)(3) (General Rule), as it can be  
12 seen with certainty that approval of the project will not have an effect on the environment.

13 Section 8: The City Clerk shall certify to the adoption of this ordinance and cause publication  
14 once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City  
15 of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

16 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

17  
18 \_\_\_\_\_  
19 PATRICIA LOCK DAWSON  
Mayor of the City of Riverside

20 Attest:

21  
22 \_\_\_\_\_  
23 DONESIA GAUSE  
City Clerk of the City of Riverside

24 //

25 //

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27 //

28 //

1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing ordinance was duly and regularly introduced and adopted at a meeting of the City Council  
3 on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
9 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

10  
11 \_\_\_\_\_  
12 Donesia Gause  
13 City Clerk of the City of Riverside  
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