

FILE NO. 081124

ORDINANCE NO. **13-09**

1 [Prohibiting advertisements for alcoholic beverages on City property.]

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3 **Ordinance amending the San Francisco Administrative Code by amending**
4 **Section 4.20, to prohibit advertisements for alcoholic beverages on City property.**

5 Note: Additions are *single-underline italics Times New Roman*;
6 deletions are ~~strikethrough-italics Times New Roman~~.
7 Board amendment additions are double underlined.
8 Board amendment deletions are ~~strikethrough-normal~~.

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The San Francisco Administrative Code is hereby amended by amending
10 Section 4.20, to read as follows:

11 **SEC. 4.20. TOBACCO PRODUCT AND ALCOHOLIC BEVERAGE ADVERTISING**
12 **PROHIBITION.**

13 (a) No advertising of cigarettes or tobacco products or alcoholic beverages shall be
14 allowed on any property owned by or under the control of the City and County of
15 San Francisco, except as exempted in subsections (c) and (d) below. For purposes of this
16 Section 4.20, "alcoholic beverage" shall be as defined in California Business and Professional Code
17 section 23004 and shall not include cleaning solutions, medical supplies, and other products and
18 substances not intended for drinking.

19 (b) This prohibition shall include the placement of the name of a company producing,
20 selling or distributing cigarettes or tobacco products or alcoholic beverages, or the name of any
21 cigarette or tobacco product or alcoholic beverages, in any promotion of any event or promotion
22 of any product or beverage on property owned by or under the control of the City and County of
23 San Francisco. This prohibition shall not apply to any advertisement sponsored by a state,
24 local, ~~or~~ nonprofit or other entity designed to (i) communicate the health hazards of cigarettes
25 and tobacco products ~~or~~ alcoholic beverages, (ii) encourage people not to smoke or to stop

1 smoking, or encourage people not to drink alcohol or to stop drinking alcohol, or (iii) provide or
2 publicize drug or alcohol treatment or rehabilitation services.

3 (c) All leases, permits or agreements awarded by the City and County of
4 San Francisco allowing any person to use City property shall specifically provide that there
5 shall be no advertising of cigarettes or tobacco products or alcoholic beverages as set forth in this
6 Section 4.20. This prohibition on advertising shall only not apply to those leases, permits or
7 agreements except where its application would impair obligations of contract entered into,
8 renewed, or materially amended from and after the effective date of this ordinance.

9 (d) City property used for operation of a restaurant, concert or sports venue, or other
10 facility or event where the sale, production or consumption of alcoholic beverages is permitted,
11 shall be exempt from the alcoholic beverage advertising prohibition in subsections (a) and (b) through
12 (c) above, but this prohibition may be made applicable by lease, permit or agreement.

13
14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16
17 By:


18 CHARLES SULLIVAN
19 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 081124

Date Passed:

Ordinance amending the San Francisco Administrative Code by amending Section 4.20, to prohibit advertisements for alcoholic beverages on City property.

December 16, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

January 6, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin

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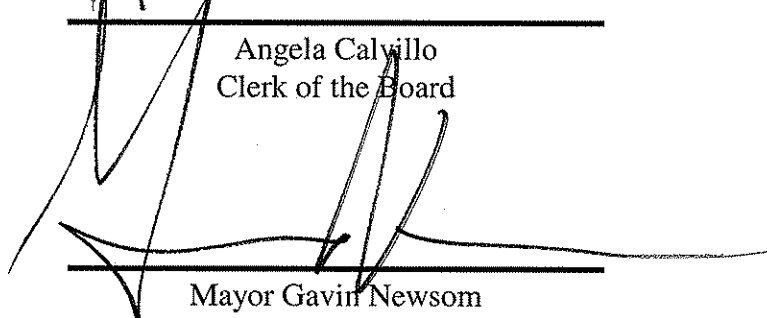
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on **January 6, 2009**
by the Board of Supervisors of the City and
County of San Francisco.

1/16/09

Date Approved



Angela Calvillo
Clerk of the Board



Mayor Gavin Newsom