



Organization: North Coastal Prevention Coalition in Vista, CA

Contact: John Byrom

Q: What did you change a law, a regulation, an ordinance, a policy or other?

A: We passed a local ordinance, which reclassifies head shops as adult businesses with all the associated regulations thereof, making it more difficult for new head shops to open, and prohibits youth under the age of 18 from entering head shops.

Q: Where did the idea to make the change originate?

A: Our coalition saw a proliferation of head shops (businesses that sell drug paraphernalia) in the City of San Diego. While we had only one shop in the City of Oceanside, which had opened in the 1970's (Inner World), three more had recently opened for business (The Hole, Outer Limits and Visions). We did not want to see a similar proliferation of these types of businesses in our city. While we knew we would probably not be successful in eliminating them altogether, we knew we stood a good chance of regulating the ones already in business. Additionally, we believed regulations, along with the required Conditional Use Permit Process, would make it very difficult for any new businesses to open.

Q: What elected or other government officials did you meet with to accomplish this change? And at what point(s) in the process did you meet with them?

A: We presented our findings to the Oceanside Planning Commission, since the issue was one of land use. We felt we were able to provide compelling environmental prevention arguments for considering the merits of an ordinance that would regulate businesses that sold drug paraphernalia. We received a unanimous vote for our proposed Head Shop Ordinance from the Planning Commission.

Last, we brought the proposed ordinance to the Oceanside City Council. With some 20 coalition members in tow, we made our case to City Council members. While we did not all testify, we were anxious to make sure Council members knew how many of us had shown up in favor of this issue. When we asked our supporters to stand up to indicate their support, the entire audience (some 200 individuals) stood up as well. There was, indeed, broad support for our issue. The City Council voted unanimously for the proposed ordinance.

Q: What materials did you use to make your case that the change was necessary and would produce the desired results?

A: Our first step was to discuss the situation with one of our coalition members in the Oceanside Police Department (OPD) to get a law enforcement perspective. OPD discussions were followed by visits to each of the head shops to conduct a thorough assessment of their business practices and the merchandise they carried.

Assessments were followed up with a survey of local teens to ascertain their knowledge and opinion about head shops. Survey results revealed that half of the teens surveyed had been inside of these types of businesses. More than half agreed that individuals should have to be eighteen years old to enter and a majority of the teens agreed that products promoting drug use should not be sold in our city.

With the information we received from OPD, research information on the history of businesses that sell drug paraphernalia and our survey information, we created an issue brief document to inform residents, organizations, and City officials about the issue. We provided city officials in the Planning Department and City Council members with copies of our issue brief.

Q: Through what system/process did you make your change?

A: The change was made through the City Council with the support of the Oceanside Planning Commission.

Q: Who were your allies in making this change?

A: Our allies were coalition members, law enforcement, school boards, districts and PTA's, treatment and recovery.

Q: Who opposed this change?

A: Head shops opposed this change. After the ordinance was implemented, one shop in particular, Inner World, was scrutinized by the city for its attempt to get around the "spirit" of the law, if not the "letter" of the Law by constructing a wall between their two addresses, but only one business license. The ordinance states that you must be 18 to enter the business and though their maneuver does restrict underage individuals from the first address where drug paraphernalia is sold; youth continue to be exposed to the pro-drug messages at the second address.

Q: Did you participate in media advocacy to make your change?

A: We did work with local media outlets to gain community support.

Q: Please describe in detail the outcome of your change.

A: Head shops have been reclassified as adult businesses with all the associated regulations thereof. Head shops, as adult businesses, are restricted from being less than 1,000 feet from other regulated businesses (such as bars, liquor stores and adult bookstores). Head shops must be at least 500 feet from schools, churches, public libraries or public parks. It is illegal for individuals under 18 to go into a head shop in

the City of Oceanside. Any new businesses intending to sell drug paraphernalia is subject to a special use permit process.

The head shop ordinance will make it more difficult for new head shops to open, given the requirements of the ordinance. As of July 2004 we are pleased to report the following updates on Oceanside head shops...

- The Hole went out of business in 2002. We have no information as to the reason.
- Due to continued surveillance of Visions Smoke Shop, a change of address, which might have otherwise gone unnoticed, was immediately reported to the City. A code enforcement officer was dispatched and Visions was found to be in a violation of the ordinance. Rather than pursue a Special Use Permit, Visions closed their doors for business.