

AN ORDINANCE OF THE CITY OF HAWAIIAN GARDENS
AMENDING THE HAWAIIAN GARDENS MUNICIPAL CODE
TO ADD SECTION 5.28.210 REGARDING DISPLAY FOR
SALE OF PARAPHERNALIA FOR THE SMOKING OR
INJECTION OF MARIJUANA OR OTHER SUBSTANCES

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS
DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.28.210 is hereby added to
Chapter 5.28 of the Hawaiian Gardens Municipal Code to
read as follows:

5.28.210 Sale and Display of Narcotic and
Other Paraphernalia.

A. Minors. No owner, manager, proprietor
or other person in charge of any room in any place of
business selling, or displaying for the purpose
of sale, any device, contrivance, instrument, or
paraphernalia for smoking or injecting, or consuming
marijuana, hashish, PCP, or any controlled substance,
as defined in the Health and Safety Code of the
State of California, other than prescription drugs
and devices to ingest or inject prescription drugs,
as well as roach clips, and cigarette papers and
rollers designed for the smoking of the foregoing,
shall allow or permit any person under the age of
eighteen (18) years to be, remain in, enter or
visit such room unless such minor person is
accompanied by one of his or her parents, or by
his or her legal guardian.

B. Minors - Excluded. A person under the
age of eighteen (18) years shall not be, remain in,
enter or visit any room in any place used for the
sale, or displaying for sale, devices, contrivances,
instruments, or paraphernalia for smoking or
injecting marijuana, hashish, PCP, or any controlled
substance, other than prescription drugs and devices
to ingest or inject prescription drugs, including
roach clips, and cigarette papers and rollers
designed and used for smoking the foregoing, unless
such person is accompanied by one of his or her
parents, or his or her legal guardian.

C. Sale and Display Rooms. A person shall not maintain in any place of business to which the public is invited the display for sale, or the offering to sell, of devices, contrivances, instruments, or paraphernalia for smoking or injecting marijuana, hashish, PCP, or any controlled substance, other than prescription drugs and devices to ingest or inject prescription drugs, including roach clips, and cigarette papers and rollers designed and used for smoking the foregoing, unless within a separate room or enclosure to which minors not accompanied by a parent or legal guardian are excluded. Each entrance to such a room shall be sign posted in reasonably visible and legible words to the effect that narcotic paraphernalia are being offered for sale in such a room, and minors unless accompanied by a parent or legal guardian are excluded.

D. Same: Nuisance. The distribution or possession for the purpose of sale, exhibition, or display in any place of business from which minors are not excluded as set forth in this section, and where devices, contrivances, instruments, or paraphernalia for smoking or injecting marijuana, hashish, PCP, or any controlled substance, other than prescription drugs or devices to ingest or inject prescription drugs, including roach clips, and cigarette papers and rollers designed and used for smoking the foregoing, is hereby declared to be a public nuisance, and may be abated pursuant to the provisions of Section 731 of the Code of Civil Procedure of the State of California. This remedy is in addition to any other remedy provided by law, including the penalty provisions applicable for violation of the terms and provisions of this Code.

Section 2. The City Council hereby declares that it would have passed this ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that the provisions of this ordinance are severable and, if for any reason any sentence, paragraph, or section of this ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 3. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be posted or published in the manner required by law.

APPROVED AND ADOPTED THIS 27th day of
November, 1979.


Julia Sylva, Mayor
City of Hawaiian Gardens

ATTEST:


Charles Beecher
Acting City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF HAWAIIAN GARDENS)

I, Carol J. Dorfmeier, Chief Deputy City Clerk of the City of Hawaiian Gardens do hereby certify that Ordinance No. 228 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 27th day of November, 1979, by the following roll call vote, as the same appears on file and of record in the office of the City Clerk.

AYES: Councilmen Cabrera, and Myers, Mayor Pro tem Navejas, Mayor Sylva
NOES: None
ABSENT: Councilwoman Leach
ABSTAIN: None


CHIEF DEPUTY CITY CLERK