

Article 8: Minors

Division 2: Limits on Use and Possession of Glass Etching Products

*(“Limits on Use and Possession of Glass Etching Products”
added 9-24-2001 by O-18984 N.S.)*

§58.0201 Declaration of Purpose

The Council of the City of San Diego finds and declares that:

- (a) In addition to its legal uses, *glass etching products* are used for the illegal purpose of defacing glass and plastic surfaces on public and private property in the City of San Diego.
- (b) There is a current and immediate threat to the public health, safety and welfare in that the illegal use of *glass etching products* to deface public and private property is dangerous, obnoxious and damaging to public and private property, and contributes to the appearance of blight in the commercial areas of the City.
- (c) There has been an increase in the incidence of the use of *glass etching products* to deface public and private property, requiring additional measures to combat the illegal use of these products.
- (d) The reasonable limitations found in this Division on the use and possession of *glass etching products* will assist the City in its efforts to combat the criminally and civilly damaging illegal uses of *glass etching products* in the City, and will not unduly restrict legitimate businesses or customers from selling or buying these products.
- (e) For the purpose of this Division, the term *glass etching product* shall have the same meaning as it has in Section 54.0402 of this Code.
(“Declaration of Purpose” added 9-24-2001 by O-18984 N.S.)

§58.0202 Limitations on the Sale of Glass Etching Products to Minors

It is unlawful for any person to sell, exchange, give or loan, any container or dispenser containing *glass etching products* to any minor under the age of eighteen (18) years, unless that person provides for the supervision of the minor's lawful use of the *glass etching products*.

(*"Limitations on the Sale of Glass Etching Products to Minors"* added 9-24-2001 by O-18984 N.S.)

§58.0203 Prohibition on Possession of Glass Etching Products by Minors

- (a) Except as provided in this section, it is unlawful for any person under the age of eighteen (18) years to have in his or her possession any container or dispenser containing *glass etching products*, while upon any public property, street or sidewalk, or upon private property without the consent of the owner of such private property.
- (b) This section shall not apply to any minor engaged in lawful supervised, or other lawful, activity involving *glass etching products*, or who is going to or returning from a place where the minor was engaged in such supervised or other lawful activity.

(*"Prohibition on Possession of Glass Etching Products by Minors"* added 9-24-2001 by O-18984 N.S.)

§58.0204 Enforcement Authority

The Chief of Police, or any other Director authorized by the City Manager, is authorized to administer and enforce the provisions of this Division. The Chief of Police may exercise any enforcement powers as provided in Division 1, Article 2 of Chapter 1 of this Code.

(*"Enforcement Authority"* added 9-24-2001 by O-18984 N.S.)

§58.0205 Enforcement Remedies

Violations of this Division may be prosecuted as misdemeanors subject to the fines and custody provided in Municipal Code Section 12.0201. The Chief of Police may also seek injunctive relief and civil penalties in the Superior Court pursuant to Municipal Code Section 12.0202 or pursue any administrative remedy provided in Chapter 1 of this Code.

(*"Enforcement Remedies"* added 9-24-2001 by O-18984 N.S.)