



Friday Night Live

Using the Lee Law to Reduce Youth Exposure to Alcohol Retail Outlet Advertising



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PARTNERSHIP



California Friday Night Live Partnership

The mission of Friday Night Live is to build partnerships for positive and healthy youth development which engage youth as active leaders and resources in their communities.

The primary focus of the FNL/CL/FNL Kids/FNL Mentoring Programs is to form youth/adult partnerships with young people, providing programs rich in opportunities and support, so young people will be less likely to engage in problem behaviors, more likely to achieve in school, and more likely to attend higher education or secure a full-time job. FNL's vision is to work hand-in hand with young people so they are both problem free and fully prepared.

The California Friday Night Live Partnership provides the leadership and field support needed for continued growth and enhancement of FNL/CL/FNL Kids and FNL Mentoring programs. The California Friday Night Live Partnership (CFNLP) was formed to support the following goals for the Friday Night Live system: to provide guidance and leadership to the Friday Night Live Partnership counties, and to build alliances in support of youth development.

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I. Introduction and Background

The Lee Law refers to California Business and Professions Code § 25612.5, enacted in 1994. It requires off-sale alcohol retailers (e.g. liquor stores, grocery stores, but not bars or restaurants) to abide by a set of public health and safety standards to protect surrounding neighborhoods and communities from problems associated with alcohol sales (see Appendix A for a full text of the law). This project focuses on two provisions in the Lee Law:

- No more than 33% of window space can be covered with advertising or signs;
- Window signage must be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store, including the cash registers.

These requirements are widely disregarded by alcohol retailers and law enforcement officials, resulting in a high level of youth exposure to alcohol advertising. This is particularly true in low income, ethnic communities, where there are high concentrations of liquor stores and violations are more likely to occur.

A Brief History of the Lee Law

The Lee Law is named after Barbara Lee, then a State Assemblywoman (now a Congresswoman), who sponsored the legislation in 1994 following the civil unrest in South Central Los Angeles that erupted after the Rodney King verdict. Bystanders had captured Los Angeles police officers beating King while handcuffed and under arrest in 1992. In 1993, when the officers were acquitted of criminal charges, South Central erupted with looting and arson, burning down nearly 200 liquor stores. The stores had been a focal point of community discontent because of the crime, violence, drug dealing and other nuisance activities associated with their operation. They also highlighted the lack of economic development and opportunity.



Karen Bass (later to become Speaker of the California Assembly and Congresswoman), Sylvia Castillo, and their staff at the Community Coalition led a grassroots campaign to keep the liquor stores from being rebuilt, reform the practices of those that remained, and promote economic growth. As part of the campaign, they approached Assemblywoman Lee and worked with her to enact the Lee Law reforms. The law represented one of the few significant public health and safety reforms related to alcohol marketing and sales ever enacted by the State legislature.

The Problem

The Lee Law advertising provisions address two critical community problems:

1. Youth exposure to alcohol, tobacco, and junk food advertising increases the risk of youth alcohol and tobacco consumption and problems associated with those risks;
2. Large numbers of window signs on liquor stores contributes to crime, violence, neighborhood blight and other nuisance activities, particularly when they block a clear view into the stores.

As noted above, the problems are more likely to occur in low income, ethnic communities already facing a myriad of problems associated with racism, economic underdevelopment, and violence. Enforcing and strengthening these advertising provisions therefore reflects an important social justice agenda.

Extensive research now connects increased youth exposure to alcohol advertising and increased use and problems. A recent review of the research concluded (at p. 196):

The evidence reviewed has suggested that exposure of young people to alcohol marketing speeds up the onset of drinking and increases the amount consumed by those already drinking. The extent and breadth of research available is considerable, utilized a range of methodologies, and is consistent in showing effects with young people.”¹

Advertising on store fronts near schools is particularly problematic. Another study found 931 alcohol ads, mostly beer ads in storefronts, within a 1,500-foot radius of 63 Chicago schools. The researchers compared 6th-graders’ opinions on drinking to their opinions two years later, when they were 8th graders. Students at the schools surrounded by the most ads expressed greater intention to drink and more positive associations with alcohol.²

Although the research literature supports these general findings, surprisingly little research has been done on the relative concentration of alcohol signage in low income communities. One of the goals of the project is to document this phenomenon in a systematic manner.

(See Appendix B for fact sheet on youth exposure to advertising.)

Project Goals

The project has as its overall goal to create safer community environments for youth particularly in low income, ethnic neighborhoods. It has two **primary policy goals** to achieve this end:

- Promote compliance with the Lee Law provisions related to off-sale retail alcohol advertising and window coverage practices;
- Enact and implement a local ordinance strengthening Lee Law provisions to reduce youth exposure to alcohol advertising.

As discussed later in the toolkit, some cities and counties may already have a sign ordinance that is applicable to liquor stores. If this is the case, the goal of the project is insuring compliance with the local ordinance.

These represent the desired outcomes in terms of actions by alcohol retailers, policy makers, and law enforcement agencies. Perhaps more significant are the **implementation goals**, which include:

- Increase youth engagement and leadership in community policy making;
- Educate the public regarding the risks associated with youth exposure to alcohol advertising as well as the social justice issues associated with retail alcohol advertising practices;
- Shift social norms regarding acceptability of youth exposure to alcohol advertising.

¹ Babor, T., et al. (2010). *Alcohol: No Ordinary Commodity*. New York, NY: Oxford University Press.

² Pasch, K., Komro, K., Perry, C., Hearst, M., Farbakhsh, K. (2007). Outdoor alcohol advertising near schools: What does it advertise and how is it related to intentions and use of alcohol among young adolescents? *Journal of Studies on Alcohol & Drugs* 68: 587-596.

Youth engagement and leadership is a critical aspect of the project. It is designed to:

- Engage youth in an important research endeavor – determining the level of violations in the community and assessing the differential rates of violation by neighborhood characteristics;
- Teach youth how to link these research findings to the policy making process; and
- Give youth the opportunity to lead a grassroots policy campaign to convince local policy makers to enact important reforms in alcohol retail marketing practices that affect youth health and safety.

Why a Local Ordinance?

A question likely to arise in the course of the project is why a local ordinance is needed. After all, there is already a state law and if that law is enforced, won't that solve the problem?

The state law does not solve the problems identified above for the following reasons:

The restrictions on retailer signage practices are inadequate.

The 33 percent limit, on window signage, even if adhered to, is much too high to provide adequate protection to the neighborhood and the youth who live there. The model ordinance for this project (see below for description) therefore proposes a 15 percent limit.

The State law has loopholes that undermine its effectiveness.

The state law is administered by the State Alcohol Beverage Control (ABC) Department of the state government. The Department has determined that the law has three major loopholes that make it largely unenforceable. When calculating the 33 percent limit, the Department:

- Includes windows not readily visible to the public (for example in alley ways or in a second story of the building);
- Does not include clear spaces within ads and signage; and
- Does not include ads and signage on fixtures visible through or in front of the windows but not actually attached to the windows.

In addition, banners and other advertising outside the store are not addressed by the law and there are no restrictions on advertising placed close to the floor, at the eye level of young children. The model ordinance closes all of these loopholes.

State enforcement and administration is ineffective.

Although local law enforcement officials can alert the ABC Department of likely violations, the ABC Department is responsible for determining if a violation has occurred and imposing sanctions. Its administrative procedures are complex, largely ineffectual and not readily accessible to community members. A local ordinance, by contrast is administered by local government agencies and enforced by local police and sheriffs' departments. These agencies are more responsive to community concerns and more accessible to youth advocates.

Enacting and implementing a local ordinance provides a laboratory for youth advocacy and learning.

Mentoring youth and building youth leadership is more feasible with a local campaign, working with local officials who are often willing or eager to engage youth leaders.

II. Implementing the Project

Overview

The project has four key components, as follows: (1) Assess resources, including any foundational work already accomplished; (2) Conduct research to determine compliance rates in specific communities; (3) Promote voluntary compliance by alcohol retailers; and (4) Implement a local ordinance to strengthen the Lee Law provisions (and/or enforce an existing local ordinance).

Part A: Assess Resources and Establish Timelines

STEP 1: Determine resources within your organization and among allied organizations that can be dedicated to the project.

- Determine who is available to work on the campaign, including both youth activists and adult coaches/mentors and the number of hours they can dedicate to it.
- Identify and contact organizations in the community who could assist in the project with resources, volunteers, and staff.

Tips:

- Planning and implementing the remaining components of the project will be dependent on the resources available, particularly regarding the number of youth advocates and staff.
- Be specific in terms of the resource needs, including possible contacts with key stakeholders, research capacity, etc. For example, an allied organization may have the capacity to build sophisticated maps for illustrating compliance rates and other findings from the research component.
- Be realistic! You want to be sure that the project's scope and timeline is appropriate to the resources available.
- Review the introductory section of the Friday Night Live's Guide to Engaging Youth in Policy Change Toolkit (<http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>). It provides a valuable guide to the general considerations you should take into account when deciding whether to engage in a youth policy campaign.

STEP 2: Review previous work done by your organization and others to address problematic alcohol retailer practices, including those related to the Lee Law signage provisions.

Tips:

- Your organization or others may have conducted a version of this project previously. If so, you may have access to documents needed for the research component and may have good background knowledge regarding the attitudes and practices of alcohol retailers in your region.
- The project will be enhanced to the extent that it can build on previous work.

STEP 3: Identify key law enforcement officials, elected representatives, and governmental officials who, based on previous contacts, are possible supporters for the project.

Tips:

- If you have good relationships with local law enforcement officials, we recommend contacting and meeting with them before starting the Research Component to brief them on the project. However, it is important that retailers not be made aware of the initial phase of the project in order to insure that an accurate compliance rate is determined. (If retailers are given advance warning, they may take action that would distort research results.) The project includes a strong focus on voluntary compliance (see the Voluntary Compliance Component below) that includes positive outreach to retailers.
- Similarly, reaching out to other key policy makers early (e.g., city council members, the city attorney's office, local zoning officials and others likely to be involved in implementation of the local ordinance) can promote support for the project.
- You will eventually need to contact, brief, and ask support from the regional office of the ABC Department (see the Voluntary Compliance Component below). If you already have relationships with officials in the regional office, you may wish to contact and brief them early in the project in order to promote their support and involvement.
- These meetings can be an important learning experience of youth advocates and leaders.
- Local law enforcement officials may be particularly helpful. For example, they may already be enforcing, at least on an informal basis, the Lee Law provisions and may have insights regarding building a positive working relationship with the ABC Department. They will play a critical role in promoting voluntary compliance.

STEP 4: Create a realistic timeline.

Tips:

- The timeline should be based on a review of the project goals, components, and steps, the resources available, and the extent to which the project can build on previous work conducted in your region.
- Be sure to take into account obligations the youth may have that can affect the timeline. For example, school, family, sports or other obligations may affect their availability for working on the project.

Part B: Research Component

Determine Rates of Compliance with the Lee Law Advertising Requirements and the Requirements of Applicable Local Sign Ordinances

STEP 1: Select off-sale retail alcohol outlets to be included in the research study.

- Create a map of the cities/neighborhoods/regions (“regions”) to be included in the project showing the location of alcohol retail outlets (“stores”), schools, and ethnic/racial compositions.
- Create a list of stores in your region, with addresses and types of licenses.
- If possible, select at least two neighborhoods/regions with differing income and ethnic/racial composition, to compare compliance rates. If feasible, include additional neighborhoods/regions.
- If possible, 20 stores should be included for each region selected (liquor, grocery, convenience stores – but not restaurants or bars). All stores in the region selected should be included in the study. Having more stores (up to 100 in each region) provides a better foundation for reporting research findings. Regions can be combined in order to reach the 20-store minimum.

Tips:

- Use the following steps to develop a list of alcohol retailers:
 - Go to www.ABC.ca.gov and click on the Licensing Reports on the right hand side of the page.
 - Scroll the bottom of the page and select “Query by County, Zip Code and License Type Information” and select continue.
 - Select your county in the drop down box, then plug in the zip code for the community you want to work in.
 - Under “Report Types” select “Active Off-Sale Retail Licenses,” and continue. The page that comes up is the list of licensee’s in that zip code area.
 - Print the information. Go back and click on the license number and look up the owners name and document it on the sheet you have printed. Only look at License Type 20 (beer and wine) and 21 (general – including sales of distilled spirits). Some of these licenses will be wholesalers, wine boutiques and internet sales. These retailers are NOT included in the project.
- The ABC Department website also has a mapping function. Select “License Query System – Map Query” and type in the census tract or city.
- Stores will be either type 20 (beer and wine) or type 21 (general – include sales of distilled spirits).
- Although the project is focused on off-sale retailers, you may wish to create a map that includes on-sale licensees (types 40-42) to illustrate the level of overall alcohol outlet density in particular regions and how they compare.
- You may also want to determine the populations in each region selected. With this information, you can describe the density of the alcohol outlets per population.

- Google maps is a useful tool for creating maps, using the “create your own map” function.
- The website www.Healthycities.org is another valuable resource for developing maps, with many options for mapping various demographic characteristics, location of schools and other community institutions, etc.
- Allied organizations in your region may be able to assist in building more sophisticated maps that overlay key demographic variables.
- See Appendix C for a sample map of stores in Watsonville, CA.
- Note that the campaign to enact a local ordinance (or to enforce an existing sign ordinance) will take place in the local jurisdiction selected for inclusion in the project. If you have more than one possible city or unincorporated county region to select from, you may wish to assess the likely support for a local ordinance among city/county officials and elected representatives.

STEP 2: Determine whether local sign ordinances exist in the jurisdictions selected that would apply to liquor store windows.

- Many California cities and counties have existing sign ordinances that may restrict signage on liquor stores. For example, the city of Watsonville restricts signage on any retail outlets to 20 percent of total window and clear door area.
- There are two complementary methods for finding relevant sign ordinances;
 - Call your city or county clerk’s office. Make a request for any provisions in the city’s municipal code pertaining to the retail signage. Proceed to the second method even if you are told there are no relevant provisions.
 - Search for the city or county sign code on the internet. California cities and counties post their municipal code on an internet-accessible database, which you can usually find by going to your city’s website and locating the link to its municipal code. Alternatively, conduct a Google search as follows: “[name of city] municipal code.” Use the following search terms: “window”, “alcohol”, “signage” and “advertising.”
- If you find a sign ordinance that applies to liquor stores, analyze the provisions to determine if it provides at least as good a tool for restricting liquor store window advertising as the Lee Law. (See Part D for further discussion.)

Tips:

- If you know a local attorney or someone who works for the local government, you may want to consult with them to be sure you have not missed relevant legislation.
- Typically, if an ordinance exists, it is found in the part of the ordinance addressing signs generally. We found that searching for “window” within the sign provisions was an effective strategy for locating relevant laws.
- Larger cities often have a separate section of their municipal codes that address retail signage.
- The language of the sign ordinance may be difficult to interpret and have its own loopholes. If this is the case, try to identify a city official or attorney to assist in interpreting the relevant provisions.

STEP 3: Collect Compliance Data

- Develop plan for taking pictures of all stores in the regions identified in step 1.
 - Create walking and/or driving routes.
 - Assign participants in project to routes with list of stores to be photographed. The list should provide space for recording notes.
 - Identify cameras to be used. Digital cameras are a must. Be sure that the cameras will provide sharp images.
 - Give young people clear instructions of what is expected.
- Take pictures of the windows and doors at each store.
 - All windows and clear doors of each store should be photographed. Multiple pictures of each site may be necessary.
 - Determine whether there is a clear and unobstructed view inside the store, including all of the cash registers. If not, be sure pictures are taken to document the lack of an unobstructed view.
 - Record findings on the list of stores.
 - Organize pictures in computer files. If feasible, print the pictures and organize them in a binder. Coding in a group setting is easier to do with printed images.
- Obtain population data for each region being canvassed.
- If available, obtain data regarding income and ethnic makeup for each region.

Tips:

- Adult supervisors should accompany young people on the routes. The photography should be done in an organized, group fashion.
- The time needed for completing a route will vary based on transportation requirements. Photographing each store will take about 3-5 minutes.
- There is no need to approach store owners or clerks at this time. If any questions are asked, politely describe the project's goals and purpose. If objections are raised by store staff, discontinue picture taking and make a note that data is unavailable due to objections raised by the store.
- An alternative approach is to enter the store, briefly describe the project and ask permission to take pictures of the exterior of the store. If permission is denied, do not proceed with the picture taking and make a note that data is unavailable due to objections raised by the store. We experimented with both approaches and in the vast majority of cases, permission was obtained.

The picture taking can be enlivened with creative planning. For example, we scheduled a Saturday “fun day” for the youth, we created a scavenger hunt where each team had to find something specific at each outlet they were at taking pictures of, we broke off into teams of 4 youth each per an adult, had a list of all the outlets, took photos of all the outlets and made it a hunt for goodies! We also included lunch and transportation.

STEP 4: Code Data

- Create a spreadsheet that has a column for each store being analyzed and columns for coding these four variables:
 1. Is the store in compliance with loopholes applied (yes/uncertain/no)?
 2. Would the store be in compliance if the loopholes are ignored (yes/uncertain/no)?
 3. Can you clearly see the cash register (yes/uncertain/no)?
 4. Is the store in compliance with the Lee Law (i.e., is the answer to either 1 or 3 “no”)? (See sample spreadsheet, Appendix D.)
 5. Would the store be in compliance if the loopholes were ignored (i.e., is the answer to 2 or 3 “no”)?
- If a local ordinance has been identified in Step 2 that has stronger provisions than the Lee Law, create a sixth column or a separate spreadsheet for recording whether the store is in compliance with the local law. The percentage coverage allowed in the local ordinance should be used in assessing compliance (e.g., 20 percent, if that is the limitation in the local ordinance).
 - Note that any store that is out of compliance with loopholes applied will be out of compliance if the loopholes are ignored. If the answer to #1 is “no” then the answer to #2 will also be “no”.
- A separate spreadsheet should be prepared for each region involved in the study. Create a summary spreadsheet for reporting results for all regions.
- Coding should be based on all windows and clear doors readily accessible and visible to the public.
- Codes #1 and #2 require an understanding and application of two of the loopholes described on page 4:
 - Clear spaces within ads and signage are not counted in code #1 but are counted for code #2; and
 - Banners, ads, signage, fixtures and other obstructions that are not attached to the windows but nevertheless block the view through the window are not counted for code #1 but are counted for code #2.
- Choose coding methodology. At least two options are available:
 - Conduct coding as a group project, with the entire group discussing each store and reaching consensus. This procedure will take more time but has the advantage of building team cohesion and making the process more fun.
 - Break group into pairs and divide store pictures among the pairs. Rotate pictures so that at least two pairs code each store independently. When teams have differing coding for particular stores, have the entire group review and come to consensus.
- Once a methodology has been chosen, examine pictures from each store and conduct coding.
 - Strive to reach consensus regarding the coding of each store. If there is conflict, have an adult advocate serve as final arbiter.

- Note that the “uncertain” category provides a means to promote consensus coding. It is important that only those stores clearly out of compliance be counted as violating the law, so use the code if there is uncertainty.
- When reviewing the photos, tag the “best” and the “worst” in each coding category for later reference. Also tag photos that can best illustrate loopholes.

Tips:

- Create a “chart” that illustrates what 33% window coverage in various formats. Use an excel spreadsheet to draw up the chart and fill in each box to represent differing configurations of 33% coverage. Create a similar chart for limitations found in local ordinances.
- Use a few large pictures at the beginning of the process and practice coding as a full group.
- Emphasize that this is a research project so reliability is important. This can be both a serious and fun exercise.
- When all our photos were printed out, we went through each one. Each youth had a job, such as: being in charge of and organizing the photos; developing and maintaining the “master list” of all the stores – checking off the stores as their coding was completed and determining which stores needed to be revisited.
- Revisits for additional pictures were needed in several cases. The need for revisits should be planned for. Do not be discouraged; this should be considered part of the process. Reasons for revisiting may include:
 - Some of the pictures are blurry or difficult to analyze due to glare;
 - After review, it is unclear whether all relevant windows and doors were included;
 - Reflections make it difficult to determine whether views of cash registers are unobstructed.
- The goal should be to minimize revisits, but anticipate that revisits will be necessary.
- Adult advisors may want to do a “dry run” with one or two youth to test equipment, determining procedures for insuring clear photos, and develop procedures for storing and labeling pictures.
- One method for storing hard copies of photos is to write on the back of each photo with a sharpie pen the name of the store, paper clipping all the pictures for a given store together.
- We found that having the pictures in both printed and electronic form was helpful. Whichever method is selected, be sure that labeling and storage is planned for easy retrieval and identification.
- For determining whether there was an unobstructed view of the cash registers, we assumed the role of a law enforcement officer driving or walking by the store. This assumption was based on input from law enforcement officers who have actively enforced this portion of the Lee Law.
- We were surprised by the number of violations of the “unobstructed view” requirement, suggesting the need for increased emphasis on the importance of this provision in reducing crime and violence.

STEP 5: Analyze data

- Calculate the compliance rates for each region by dividing the number of stores in compliance (with either a yes or uncertain code) by the total number of stores. See Appendix D for sample spreadsheet and more detailed instructions.
- If applicable, calculate the rate of compliance for any local sign ordinance identified in Step 3.
- Create a summary spreadsheet that lists the compliance rates for each region. Insert the population data for each region and calculate the ratio of stores to population by dividing the population by the number of stores. See Appendix D for sample spreadsheet.
- Insert other demographic data for each region collected in Step 2.
- Review findings as a group. Key questions to answer include:
 - Overall, how well do stores comply with the requirements of the Lee Law? If compliance rates are less than 80%, the project has documented widespread violation of the law.
 - How much impact do the loopholes have on the compliance rate? Significantly lower compliance rates provide documentation of the weakness of the Lee Law as currently written.
 - Are there variations in compliance rates across your regions? If so how do the variations correspond with the income, population, and racial/ethnic data? If your regions are typical, significantly lower compliance rates will occur in low income, racial/ethnic communities and there will be significantly more stores in these regions. This suggests that in these regions children are more exposed to alcohol advertising and stores pose greater risks of crime and violence.
 - Identify the most important findings and summarize them in bullet points.
- Create attractive graphs and charts to illustrate the key results.

Tips:

- The analysis can be done in a group setting, promoting discussion and insights into the reasons for differential compliance rates across regions.
- You can ask young people to write short vignettes of the personal impact the stores have on their community and their reaction to the findings of the study. These can be used in the next Step and Component.
- Because the “uncertain” code is used, the compliance rates can be described as conservative, since stores on the cusp of being in violation are considered to be in compliance.

Part C: Dissemination and Voluntary Compliance

Publicize results and promote voluntary compliance with alcohol retailers

Step 1: Prepare your message and document your results.

Now that you have completed the research phase, it is time to prepare for taking action. The first step is preparing your message and documenting your results so that you can begin the process of policy change.

- **Identify the specific policy goals for the campaign.** This will depend in part on whether your target jurisdiction has a local sign ordinance or not.
 - If a local does exist that is worth enforcing, then your primary policy goal is to promote compliance with the ordinance through voluntary action by the merchants and local enforcement.
 - If a local ordinance does not exist or is too weak to effect adequate change, then the primary policy goals are to promote voluntary compliance with the Lee Law provisions and enact a new or revised local sign ordinance.
 - Note that Part D addresses the campaign activities for enacting a local ordinance and provides a model ordinance to work from (Appendix G).
- **Develop your message.** Adapt the workshop instructions for message development and the message development exercise found in the Friday Night Live's *Guide to Engaging Youth in Policy Change* Toolkit, pages 6-2 through 6-6 (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>). Replace the scenario in that toolkit with the actual results from your research. Have the youth develop the key messages of the policy campaign by answering these three questions:
 - What do you want your audience to know?
 - Why should anyone care?
 - What action steps are you recommending?
- **Develop dissemination tools.** The tools should include your key messages.
 - Fact sheet/Flyer:** A one or two page fact sheet/flyer is a basic dissemination tool. It needs to be brief and easy to read, highlighting key points and providing contact information. The fact sheet can be used with the media, policy makers, law enforcement and others who you are reaching out to for support.
 - Poster:** A large, professional-looking, laminated poster (8 feet by 5 feet) is an excellent dissemination tool. The poster can be used in multiple venues (e.g., press conference, as part of presentations to community groups, other youth groups, and policy makers). The poster should include:
 - The problem, a description of the Lee Law and (if applicable) the local ordinance;
 - A description of the project, the role of Friday Night Live, and the role of young people in the project;
 - The results (in chart form);
 - Photos of outlets
 - See Appendix E for sample poster.

Merchant letter: As described in Step 2, you are hoping that the merchant letter will be sent jointly by the local law enforcement agency and your group (and the planning department if there is local ordinance). The letter should:

- Identify the problem;
- Summarize the key provisions of the Lee Law and, if relevant, the local sign ordinance;
- Provide an overview of the results of your research;
- Encourage voluntary compliance with the laws so that enforcement will not be necessary.

The final version of the merchant letter will be completed following the meetings described in Step 2. At this stage, you want to have an outline of the letter with suggested bullet points.

A sample merchant letter can be found in Appendix F.

- Be sure to highlight findings of the research using graphs and charts, which should include:
 - Violation rates regarding the Lee Law provisions with and without loopholes;
 - If applicable, violation rates for local sign ordinances;
 - Differences in violation rates across neighborhoods, noting demographic differences.
- Be creative in brainstorming dissemination tools. Web-based and power point presentations should be considered. Return to this task after determining key audiences and venues for dissemination (see Step 2).

Tips:

- We used FedEx for printing and formatting the poster, which gave us the lowest bid and was very helpful. It required a two day turn-around.
- Keep in mind that new formats may need to be created for differing target audiences.

Step 2: Disseminate materials developed in previous step to community groups.

- Brainstorm opportunities for presenting results to community groups. Possible venues include:
 - Community meetings
 - School events
 - Board meetings of non-profit organizations involved in public health, youth development and public safety
 - Youth groups engaged in community action projects
 - Street fairs and other community gatherings
 - Meetings with groups involved in tobacco control and the prevention of obesity
- Practice making the presentations, tailoring the practices to the specific venue and audience.

Tips:

- Practice, practice, practice! The presentations offer a valuable opportunity for young people to engage in public speaking and take pride in the work they have done.
- In Watsonville, the young people involved in the project presented their findings to the Watsonville Youth Council. This was a valuable experience and built support among other youth in the community.
- Seeking out youth groups that are working on tobacco control and the prevention of obesity in your community could be a good recruiting tool for the policy campaign described in Part D. These groups are also concerned about window signage on liquor stores.

Step 3: Conduct meetings with key agency representatives and policy makers.

- Law enforcement meeting: Contact the chief of police or other appropriate local law enforcement official and request a meeting to discuss results and possible action steps.
 - The purpose of the first meeting is to build a relationship and make two “soft” demands: (1) The police department co-sign a letter (with your organization) to merchants informing them of the results of the research, highlighting the requirements of the Lee Law and any relevant local ordinance, and encouraging voluntary compliance so that further action by the department or the city will not be necessary. (2) The police department work with your group to secure the cooperation of the California ABC Department (see next bullet).
 - Adapt the “Demands” workshop exercise in the Friday Night Live’s *Guide to Engaging Youth in Policy Change* Toolkit, pages 5-2 through 5-7 (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>) to prepare youth for this meeting.
- ABC Department Representative meeting. Similarly, contact the regional office of the California Alcoholic Beverage Control Department and request a meeting with the enforcement officer assigned to your city or county. The officer should be able to meet in a venue that is convenient for the youth and your local law enforcement agency should be able to assist you in scheduling this meeting.
 - Make the same request as made to the local police representative: A letter from the ABC Department informing merchants of the results of your research, describing the key provisions of the Lee law signage provision, and encouraging voluntary compliance so that further enforcement action will not be necessary.
 - If your city or county has a strong local ordinance, this meeting is not necessary.
- City Planning Department meeting: If you have as one of your goals enforcement of a local sign ordinance, schedule a similar meeting with a representative of the planning department. The request in this case is to co-sign the letter to the merchants described above from the police department and your group.

- Meetings with friendly local decision-makers. If through previous work your group has good relationships with key decision-makers including the Mayor, members of the City Council (or Board of Supervisors), then request an informational meeting.
 - This is a “soft” demand meeting. You want to inform them of your research and policy goals, emphasizing that the first goal is to promote voluntary compliance with existing laws. You can ask for their assistance in gaining support from local law enforcement, planning department and California ABC Department representatives.
 - You can also gauge their support for a local ordinance (assuming this is one of your goals) and request advice regarding who you should contact to promote its adoption once the campaign reaches that stage (see Part D).

Tips:

- The Friday Night Live guide referenced above is an important resource for preparing for the meetings described in this step.
- Practice makes perfect! Role-play the meetings. Have specific roles and scripts for each participant and be sure they are clear on what needs to be communicated. The roles and scripts will be similar for most meetings; youth participants can swap roles to deepen their experience.
- The dissemination tools should be developed with these meetings and presentations in mind. They may need to be modified and tailored to each audience.
- The letter from your group, the law enforcement agency, and the planning department may take a variety of forms. It is not critical that it come from all three groups. If one or the other governmental agency wants to take the lead and have the letter only on one letterhead this is acceptable.
- At this stage, a press conference or release is not recommended. Save media advocacy activities for Part D. Your goal is to inform key constituencies of your research and to promote voluntary compliance. Engaging the press may alert retailers prematurely of your policy goals and may deter voluntary compliance.

Step 4: Send merchant letters and re-survey stores.

- Once the merchant letters described above have been sent, prepare to re-survey the stores using the methodology described in Section B.
- The re-survey can occur between 30 and 90 days after the letters have been sent.
- An option to reduce the work involved is to only survey the stores that were previously out of compliance.
- Document each store and photo and then create a side by side comparison to show any changes. This will become a very important document to be able to show the changes.
- Summarize the results using similar tools described above.

Tips:

- The purpose of the re-survey is to assess the level of voluntary compliance. This will be important as you prepare for Part D, the policy campaign.
- If your policy goal is to enforce a local sign ordinance and does not include enacting a new ordinance, you may want to modify the sequencing of the re-survey depending on the level of support of local law enforcement and the planning agency. If there is strong support, you may be able to convince them to engage in enforcement after the letter is sent without determining the level of self-compliance. Your results will help target further enforcement efforts.

Part D: Implement a Local Ordinance to Strengthen the Lee Law Provisions and/or Enforce an Existing Local Ordinance

Introduction

Parts A-C have set the foundation for your policy campaign. You have the research demonstrating that there are widespread violations of the Lee Law window signage provisions. If a local ordinance is in place, you have the data to show that its provisions are also being violated. You have made presentations regarding your findings to community groups, reached out to other youth groups, and met with key decision makers. The alcohol retailers have been informed of the violations and encouraged to comply with the law voluntarily. You have the data to show that voluntary compliance is at best partial and, most likely, has eroded over time. (If you find that voluntary compliance has worked, declare victory and delay this component until such time that your periodic scans suggest that voluntary compliance has eroded.)

Most likely, despite the work to date, there has been little actual change in the retailers' behavior. Youth are still being overexposed to alcohol and tobacco advertising; law enforcement personnel do not have a clear view into many retail outlets, increasing the risk of crime and violence; many stores are contributing to community blight. These consequences are occurring because retailers are openly violating the law and not being held accountable. And, if your community is typical, the problems are most prevalent in neighborhoods that face economic hardships and racial discrimination.

You are therefore at the critical stage: Action! You are ready to change policy, insure that laws are enforced, and protect your community. With the groundwork in place, you have a high likelihood of success by following the steps in this component. There is still work to be done and barriers to overcome. Yet this stage of the campaign is the most exciting and rewarding, and the most educational for the youth involved.

Tips:

- We have previously referenced the Friday Night Live's Guide to Engaging Youth in Policy Change Toolkit (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>). The guide will be particularly helpful at this stage of the campaign, as group moves to action. The guide has exercises and workshop programs that can introduce the group to the policy campaign structure, the meaning of power, and the general tactics to employ. The materials can be adapted to focus specifically on the policy goal you are seeking here.

Step 1: Clarify your policy goal.

- A key decision at the beginning of this component is determining exactly what your policy goal is to address the problems you have identified. As discussed earlier, there are two basic paths to choose from. If you have a good local ordinance that limits retail signage, then your policy goal can be to have the ordinance enforced. If a local ordinance does not exist or is weak, your goal can be to enact a new local ordinance that addresses the problems in the Lee Law as described in the introduction.
- Note that this may be a two-stage process. You may decide as a first step to seek enforcement of a local ordinance. Once enforced, you may show through the implementation and assessment phase (see Step 8 below) that the ordinance is inadequate to the task. You can then seek a new or revised local ordinance.
- Drafting a *policy action statement* provides a means to clarify exactly what your goal is in this action stage. It needs to be short (approximately 25-30 words) and precise. It should include: (1) The problem; (2) The policy solution; (3) What the policy will do – its positive impact; (4) Who will benefit; and (5) Names or names of policy makers that can make it happen – the target.

Sample policy action statement: enforce local ordinance

The Chief of Police should ensure that [city's] retail window sign ordinance is strictly enforced, thereby reducing community blight, crime, violence, and youth exposure to alcohol and tobacco advertising.

Sample policy action statement: new ordinance

The city council should enact an ordinance that restricts signage to 15% of the window and door area, thereby reducing community blight, crime, violence, and youth exposure to alcohol and tobacco advertising.

Tips:

- If your policy goal is to enact a new local ordinance (or to amend an existing weak ordinance) refer to the Model “Lee Law” Local Ordinance in Appendix G. This can serve as your template in approaching policy makers.
- Draft several versions of the action statement to promote discussion and to insure that it communicates the group’s goal effectively while remaining short and easy to understand.
- The focus should be on making the campaign local. You may receive advice that this is a state matter and that the appropriate solution is to seek enforcement of the Lee Law by the California ABC Department. We strongly recommend that you avoid this path for the reasons stated in the introduction.

Step 2: Make your case and frame the issue – the “issue brief”

- You have already developed fact sheets, power point presentations, posters and/or other dissemination materials in Part C. The task here is to revise these materials so that they focus specifically on your policy goal. This is done by creating an issue brief, which “frames” the issue and the solution in a way that promotes support among key policy makers and community leaders.
- The fact sheets and other materials will provide a good starting point for the issue brief. The key distinction is that the primary focus here is on the need for the policy solution.

Tips:

- Brainstorm the likely arguments that opponents will use to try to defeat your policy goal. The issue brief should anticipate these arguments and respond to them.
- For example, as noted above, opponents may argue that this is a state matter, a new ordinance is not necessary, and the appropriate solution is to seek enforcement by the ABC Department. The issue brief should address this issue by noting the weaknesses of the state law and the lack of ABC department personnel and resources. You should emphasize the importance of local action.
- Identifying opponents’ arguments and coming up with responses can be done as a role play.
- Keep a master list of opponents’ arguments and your responses, which should be added to as the campaign progresses. This will be useful in later steps of the campaign, including media advocacy and meetings with decision makers.

Step 3: Conduct a power analysis

- You have identified your “target” – the person or persons that can deliver the policy change you are seeking. The policy analysis identifies:
 - The target’s self-interest, current stance and likely position on the policy;
 - Key individuals and organizations that have influence over the target and the points that will bring them to your side;
 - Allies and opponents and their potential influence over the decision makers.
- Create a sheet that lists each target with columns for each of the items listed above. This is a “living” document. If the City Council or Board of Supervisors is your target then you may have to do research on several of the council or board members. The research involves seeking information from key informants (e.g., youth group leaders, school officials, law enforcement, etc.) As you learn more about each person, add the information to your analysis.
- Make an initial assessment. How many votes do we probably have? Who do we need to sway in order to reach a majority?
- For a City Council or Board of Supervisors vote, be focused on getting a majority. If you determine that one or two members are probably going to be against your proposal, then do not waste your time and resources on trying to convince them.
- If your assessment is that you do not have the votes to enact your policy, then be prepared to put extra emphasis on the organizing and media advocacy steps described below.

Tips:

- If your target is the Chief of Police and/or the head of the city's planning department, the power analysis is simpler, since only one or two persons need to be swayed. You will still need to make a careful analysis of the pressure on the Chief and agency head and be prepared to provide support for them using the city's resources to enforce the existing ordinance. This may include having meetings with City Council or Board of Supervisors members, seeking their support and asking them to communicate their support to your target.
- Do not be fooled into complacency by initial statements of support; it is likely that the opposition will vigorously organize after your initial visits and your targets are likely to waver in their support.
- The Friday Night Live's Guide to Engaging Youth in Policy Change Toolkit , pp. 3-2 through 3-8 will be particularly helpful in structuring exercises and activities in support of the power analysis (available at <http://www.fridaynightlive.org/wp-content/uploads/FNL-policy-toolkit-v3.pdf>)

Step 4: Organize, organize, organize

- The next three steps, organizing your base, conducting media advocacy, and meeting with your targets and key influencers, happen concurrently, not sequentially. Each activity informs the other.
- Organizing your base is a critical step in the process. Since this is a youth-led campaign, the key constituency is other youth in the community. You have already done presentations with other youth groups in Component C. The time has come to meet again with these groups and make specific "asks." These include signing letters of support that can be sent to your targets; agreeing to attend key meetings, including, if appropriate the City Council or Board of Supervisors meetings where the policy proposal will be heard; and asking for contacts with other groups that may be supportive.
- Your goal in a relatively large city is to have at least 50 supporters at the City Council or Board of Supervisors meeting, hopefully more. You need to get specific commitments.

Tips:

- Social media can be an important tool in keeping in touch with supporters.
- A key to successful organizing is building relationships with other youth, engaging them in activities, and seeking their input.

Step 5: Conduct media advocacy

- It is time to engage the media. It will play an important role in convincing your target and key community leaders to support your policy goal.
- Media advocacy is both an art and a skill. It involves several key steps and attention to timing and opportunities for placing stories.

- The window signage issue lends itself to media advocacy. There are interesting visuals. The research showing that violations are more likely to occur in poor neighborhoods and the fact that the campaign is youth-run with youth voices will be attractive to media representatives. Be creative in using these assets to garner media attention.
- Practice sound bites. They should be short (no more than one or two sentences) and should capture your message in a forceful and attention-grabbing manner. Remember that your policy goal should be a central part of the message.
- Strategically plan your media to influence your key targets. For example, you may want to organize a press event in front of a particularly bad retail outlet in the district of a city councilor whose vote is needed.

Tip:

- Media advocacy is distinct from social marketing, a more familiar form of media work. Media advocacy is used to influence the policy process and is used very strategically to frame the debate and put pressure on policy makers. Social media, by contrast, seeks to educate the public regarding health issues and promote individual behavior change. It will have only tangential benefits to a focused policy campaign.

Step 6: Meet with and influence your target and other key decision makers

- This step builds on the power analysis step. You want to have personal meetings with both your targets and those that influence them.
- The meetings will be similar to those conducted in Part C but with a key difference: Here you are making a “hard” ask or demand. You want the targets to commit to supporting your proposal; you want their influencers to communicate their support to the targets.
- It will be during this step that you present the concrete proposal to the target. If you are seeking a new or revised local ordinance (e.g., the Model Ordinance found in Appendix G), identify the best member of the City Council or Board of Supervisors to submit it as a proposal to the City Attorney or County Counsel’s office for review. (The best person will be your strongest supporter and/or a supporter with considerable influence, e.g., the Mayor).
- Expect some give and take with the City Attorney/County Counsel, the Council or Board and your group. Your goal is to be at the negotiating table. Make clear you want to be informed of any proposed amendments and have an opportunity to review and provide input into the process.
- Include questions regarding who you should be meeting with to bolster support for your proposal. The information gathered at the meetings should be added to the power analysis, including your assessment of the level of support that you have developed.

Tips:

- Role-play the meetings, and be strategic regarding who should be meeting with each target and influencer. Personal connections are important in building trust and support.
- For meetings with City Council and Board of Supervisors members, have a relatively large group in attendance, and be sure to have at least some members for their districts.
- Meetings with key influencers can be handled in small groups.

Step 7: Convince the policy maker/target to adopt the proposed policy.

- The moment has come for the vote (if you are seeking a new or amended local ordinance).
- Carefully plan and script your presentation to the board. Select speakers who can effectively communicate your key points and be sure that speakers are not repetitive or speak for too long. Prepare visuals.
- Practice, practice, practice!
- As noted above, have as many supporters as possible fill the room. The audience should be demonstrative but also respectful.

Tips:

- Use the information you have gathered from your meetings to assess the likely vote. If you are not confident that you have a majority, seek to delay the decision so that you can do more media advocacy, organizing, and meetings with decision-makers.
- Don't be deterred if you hit unexpected opposition. This is typical in policy campaigns where the alcohol industry is in opposition. This is a winnable issue, and the tools you have developed together with the passion of your group and the potency of the issue and your policy proposal will win the day in the end.
- If your policy goal is to increase enforcement of an existing local ordinance, then this step is obviously quite different. You will want to plan meetings with the Chief of Police and/or the head of the planning department and assess their level of support. You will want to schedule follow up meetings to discuss next steps. The specific strategic decisions will be dependent on the responses you receive. Keeping close watch on implementation over time will be critical, as discussed in Step 8.
- Promote media coverage of the event and follow up. Be sure to give your key supporters a chance to talk before the cameras.

Step 8: Implementation and Assessment

- You've won! The ordinance has been adopted, but don't be fooled, as the work is not yet done. The city code is loaded with provisions that are ignored by city officials and law enforcement. Once the ordinance is passed you must insure it is properly implemented and enforced.
- Anticipate problems and challenges in the implementation process. By now, you have built good relationships with key city officials and community leaders. Keep in communication with them to assess what problems are being encountered.
- Conduct periodic scans of the liquor stores' compliance with the new requirements and report violations to the police and planning departments. If no action is taken make inquiries and make it clear your group expects action.
- If action is not taken, reach out to your key supporters on the City Council or Board of Supervisors and ask that they look into the situation. Seek solutions initially through internal, informal processes.
- Use media to bring attention to problems in the enforcement process only when internal avenues for correcting the problems have been exhausted.

Appendix A: Lee Law Statute Text

Operating standards for certain retail premises *California Business and Professions Code § 25612.5*

(a) This section shall apply to licensees other than a retail on-sale licensee or on-sale beer and wine licensee who is licensed and operates as a bona fide public eating place, as defined in Section 23038, 23038.1, or 23038.2, or as a hotel, motel, or similar lodging establishment, as defined in subdivision (b) of Section 25503.16; a winegrowers license; a licensed beer manufacturer, as defined in Section 23357; a retail licensee who concurrently holds an off-sale retail beer and wine license and a beer manufacturer's license for those same or contiguous premises; and a retail on-sale licensee or on-sale beer and wine licensee who is licensed and operates as a bona fide public eating place, as defined in Section 23038, 23038.1, or 23038.2, or as a hotel, motel, or similar lodging establishment, as defined in subdivision (b) of Section 25503.16, a licensed beer manufacturer, as defined in Section 23357, or a winegrowers license, who sells off-sale beer and wine under the on-sale license on those same or contiguous premises.

(b) The Legislature finds and declares that it is in the interest of the public health, safety, and welfare to adopt operating standards as set forth in this section for specified retail premises licensed by the department. The standards set forth in this section are state standards that do not preclude the adoption and implementation of more stringent local regulations that are otherwise authorized by law.

(c) Other than as provided in subdivision (a), each retail licensee shall comply with all of the following:

(1) A prominent, permanent sign or signs stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is loitering adjacent to the premises.

(2) A prominent, permanent sign or signs stating "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign or signs shall be determined by the department. This paragraph shall apply to a licensee only upon written notice to the licensee from the department. The department shall issue this written notice only upon a request, from the local law enforcement agency in whose jurisdiction the premises are located, that is supported by substantial evidence that there is drinking in public adjacent to the premises.

(3) No alcoholic beverages shall be consumed on the premises of an off-sale retail establishment, and no alcoholic beverages shall be consumed outside the edifice of an on-sale retail establishment.

(4) The exterior of the premises, including adjacent public sidewalks and all parking lots under the control of the licensee, shall be illuminated during all hours of darkness during which the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel. However, the required illumination shall be placed so as to minimize interference with the quiet enjoyment of nearby residents of their property.

(5) Litter shall be removed daily from the premises, including adjacent public sidewalks and all parking lots under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis to control debris.

(6) Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti 72 hours following the beginning of the next weekday.

(7) No more than 33 percent of the square footage of the windows and clear doors of an off-sale premises shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises. However, this latter requirement shall not apply to premises where there are no windows, or where existing windows are located at a height that precludes a view of the interior of the premises to a person standing outside the premises.

(8) Upon request of the local law enforcement agency in whose jurisdiction the licensed premises are located or at the discretion of the department, each public telephone located on off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone.

(9) Every licensed retailer who sells or rents video recordings of harmful matter, as defined by Section 313 of the Penal Code, shall create an area within his or her business establishment for the placement of video recordings of harmful matter and for any material that advertises the sale or rental of these video recordings. This area shall be labeled "adults only." The licensed retailer shall make reasonable efforts to arrange the video recordings in this area in such a way that minors may not readily access the video recordings or view the video box covers. The failure to create and label the "adults only" area is an infraction punishable by a fine of not more than one hundred dollars (\$100). The failure to place a video recording or advertisement, regardless of its content, in this area shall not constitute an infraction.

(10) A copy of the applicable operating standards shall be available during normal business hours for viewing by the general public.

Penalty for Violation***California Business and Professions Code § 25617***

Every person convicted for a violation of any of the provisions of this division [including Section 25612.5] for which another penalty or punishment is not specifically provided for in this division is guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Enforcement of provisions required***California Business and Professions Code § 25619***

Every peace officer and every district attorney in this State shall enforce the provisions of this division [including Section 25612.5] and shall inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions of this division. Every such officer refusing or neglecting to do so is guilty of a misdemeanor.

Appendix B:

Alcohol Advertising and Youth

Center on Alcohol Marketing and Youth (CAMY) 2007

http://www.camy.org/factsheets/sheets/Alcohol_Advertising_and_Youth.html

Research clearly indicates that, in addition to parents and peers, alcohol advertising and marketing have a significant impact on youth decisions to drink.

“While many factors may influence an underage person’s drinking decisions, including among other things parents, peers and the media, there is reason to believe that advertising also plays a role.” (Federal Trade Commission, Self-Regulation in the Alcohol Industry, 1999)¹

Parents and peers have a large impact on youth decisions to drink. However, research clearly indicates that alcohol advertising and marketing also have a significant effect by influencing youth and adult expectations and attitudes, and helping to create an environment that promotes underage drinking.

Evidence from long-term studies

- A national study published in January 2006 concluded that greater exposure to alcohol advertising contributes to an increase in drinking among underage youth. Specifically, for each additional ad a young person saw (above the monthly youth average of 23), he or she drank 1% more. For each additional dollar per capita spent on alcohol advertising in a local market (above the national average of \$6.80 per capita), young people drank 3% more.²
- Another study found that, among a group of 2,250 middle-school students in Los Angeles, those who viewed more television programs containing alcohol commercials while in the seventh grade were more likely in the eighth grade to drink beer, wine/liquor, or to drink three or more drinks on at least one occasion during the month prior to the follow-up survey.³
- Researchers followed 3,111 students in South Dakota from seventh to ninth grade, and found that exposure to in-store beer displays in grade 7 predicted onset of drinking by grade 9, and exposure to magazine advertising for alcohol and to beer concessions at sports or music events predicted frequency of drinking in grade 9.⁴
- A study of 2,406 never-drinking New Hampshire middle school students found that ownership of alcohol-branded merchandise at baseline was significantly associated with increased likelihood of having initiated drinking (OR=1.5) at follow-up one to two years later, after adjusting for wide range of confounders.⁵
- Researchers from Dartmouth Medical School followed more than 5,000 Vermont and New Hampshire students ages 10 to 14 from 13 to 26 months, and found that those with higher exposure to movie alcohol use at the initial assessment were more likely to have started drinking at time of follow-up. They also found depictions of alcohol use in 92% of 601 contemporary movies, including in 52% of G-rated films.⁶

Evidence from studies of the effects of reductions in alcohol advertising

- An econometric analysis using data from the National Longitudinal Survey of Youth 1997 estimated that a 28% reduction in alcohol advertising would reduce adolescent monthly alcohol participation from 25% to between 24% and 21%, and would reduce adolescent participation in binge drinking from 12% to between 11% and 8%.⁷
- An effort to estimate the likely effects of several alcohol policies on youth drinking behavior in the U.S. population concluded that a complete ban on alcohol advertising would be the most effective, resulting in 7,609 fewer deaths from harmful drinking and a 16.4% drop in alcohol-related life-years lost.⁸
- An analysis of the impact of evidence-based personal and environmental interventions on disability-adjusted life-years (DALYs) in 12 regions of the world found that in regions where heavy drinking is less prevalent, targeted strategies such as brief physician advice, roadside breath testing, and advertising bans would be most effective.⁹

Evidence of how alcohol advertising attracts and influences young people

- A study on the responses of young people to alcohol advertising found that underage youth are drawn to music, animal and people characters, story and humor in alcohol advertising. Ads that were liked by youth in the study were more likely to elicit responses from youth saying they wanted to purchase the brand and products advertised. The three most popular alcohol ads among youth in the study used animal characters as the leading actors.¹⁰
- A review of the neuroscience, psychology and marketing literatures concluded that adolescents, because of how the human brain develops, may be particularly attracted to branded products such as alcohol that are associated with risky behavior and that provide, in their view, immediate gratification, thrills and/or social status.¹¹
- If young people like alcohol ads, they are more likely to have positive expectancies about alcohol use and to intend to drink or to drink.^{12,13}
- Exposure to alcohol advertising shapes attitudes and perceptions about alcohol use among both young people (defined in this study as ages 15-20) and young adults (ages 21 to 29). However, these attitudes and perceptions predict young people's positive expectancies and intentions to drink, but not those of young adults.¹⁴

What teens and others think about alcohol advertising and youth

- A *USA Today* survey found that teens say ads have a greater influence on their desire to drink in general than on their desire to buy a particular brand of alcohol.¹⁵
- Eighty percent of general public respondents in a poll by the Bureau of Alcohol, Tobacco and Firearms believed "that alcohol advertising influences youth to drink alcoholic beverages."¹⁶
- Another poll, done for an alcohol-industry-funded organization called the Century Council, found that 73% of the public believes that "alcohol advertising is a major contributor to underage drinking."¹⁷
- The National Association of Broadcasters (NAB) recognizes the influence advertising can have on youth: "[T]he impact of advertising on radio and television audiences, particularly kids, cannot be overstated. Clever jingles, flashy lights, fast talking, and quick pacing, all contribute to the message of commercials."¹⁸

How much alcohol advertising reaches youth

- Alcohol advertisers spent \$2 billion on alcohol advertising in measured media (television, radio, print, outdoor, major newspapers and Sunday supplements) in 2005.¹⁹
- Working from alcohol company documents submitted to them, the Federal Trade Commission estimated in 1999 that the alcohol industry's total expenditures to promote alcohol (including through sponsorship, Internet advertising, point-of-sale materials, product placement, brand-logoed items and other means) were three or more times its expenditures for measured media advertising.²⁰ This would mean that the alcohol industry spent approximately \$6 billion or more on advertising and promotion in 2005.
- The Center on Alcohol Marketing and Youth at Georgetown University has found that:
 - Between 2001 and 2005, youth exposure to alcohol advertising on television in the U.S. increased by 41%. Much of this increase resulted from the rise in distilled spirits advertising on television from 1,973 ads in 2001 to 46,854 ads in 2005.²¹
 - Youth exposure to alcohol advertising in magazines decreased by 31% between 2001 and 2004. In 2004, more than half of youth exposure to alcohol advertising in magazines came from 22 brands, all of which exposed youth to their advertising more effectively than adults.²²
 - In a sample of radio advertising for the 25 leading alcohol brands in the summer of 2004, more than two-thirds of youth exposure to alcohol advertising came from ads placed on youth-oriented programming, defined as programming with youth audiences larger than the population of youth ages 12 to 20 in the local market.²³
 - From 2001 through 2003, youth in the United States were 96 times more likely per capita to see an ad promoting alcohol than an industry ad discouraging underage drinking.²⁴ In fact, compared to underage youth, adults age 21 and over were nearly twice as likely per capita to see advertising discouraging underage drinking.²⁵
 - A study of alcohol advertising in magazines from 1997 to 2001 found that the number of beer and distilled spirits ads tended to increase with a magazine's youth readership. For every 1 million underage readers ages 12-19 in a magazine, researchers found 1.6 times more beer advertisements and 1.3 times more distilled spirits advertisements.²⁶

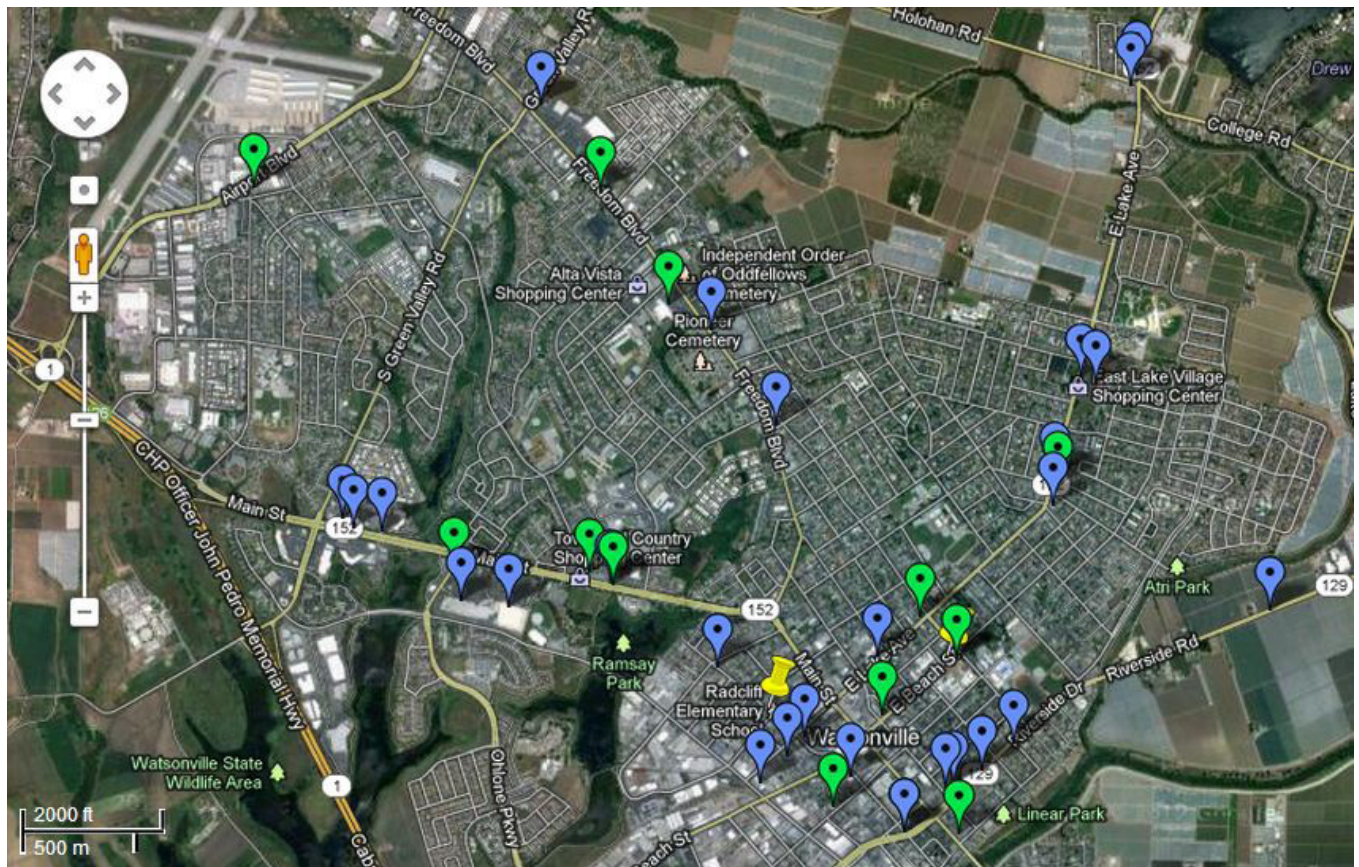
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Appendix C: Sample Map

Watsonville, California



Appendix D:

Lee Law Survey Results Template

[Region Name Here]											
	Are store windows in compliance w/ loopholes applied? (ex: Neon sign=a clear window)			Would store windows be in compliance if loopholes were ignored? (ex: Neon sign=not a clear window)			Can you clearly see the register from outside the store?		Is this store in compliance w/ the Lee law (if column C or I are checked then answer is no)?	Would the store be in compliance w/ the Lee law if loopholes were ignored? (if columns F or I are checked then answer is no)?	
CODES	yes = 1	no=1	uncertain=1	yes = 1	no=1	uncertain=1	yes = 1	no=1	uncertain=1	1=yes; 0=no	1=yes; 0=no
Store #1											
Store #2											
Store #3											
[List all stores here]											
Totals											
Compliance rate	[divide number of stores with "yes" and "uncertain" codes by number of stores.] Formula: (B9+D9)/number of stores			[divide number of stores with "yes" and "uncertain" codes by number of stores.] Formula: (E9+G9)/number of stores			[divide number of stores with "yes" and "uncertain" codes by number of stores.] Formula: (H9+J9)/number of stores		[divide number of yes codes by number of stores]	[divide number of yes codes by number of stores]	
NOTE: IF A STORE IS IN VIOLATION WHEN APPLYING LOOPHOLES THEN IT WILL ALSO BE IN VIOLATION IF LOOPHOLES ARE IGNORED. THUS, IF COLUMN C IS CODED "NO" THEN COLUMN F SHOULD ALSO BE CODED "NO" AND IF COLUMN K IS CODED "NO" THEN COLUMN L SHOULD ALSO BE CODED "NO".											
Average	0.0			0.0							
Compliance Rate	72.3%			48.9%			46.8%		38.3%		

CALIFORNIA
Friday Night Live
PARTNERSHIP

**Alcohol Policy
Consultations**

WHAT IS THE LEE LAW?

The Lee Law (California Business and Professions Code § 25612.5) includes these two provisions affecting off-sale alcohol retailers:

- No more than 33% of window space can be covered with advertising or signs;
- If window signage must be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store, including the cash registers.

PROJECT DESCRIPTION AND GOALS

This is youth-led, statewide effort seeks to:

- (1) Promote compliance with the two Lee Law provisions involving window signage; and
- (2) Enact local ordinances that have stricter, more protective requirements.

The project has begun in Santa Cruz County, California, with a local Friday Night Live (FNL) chapter. The experience in Santa Cruz will form the basis for a tool kit that can be used by FNL chapters across the state. The first phase of the project, determining compliance rates with local merchants, is reported here.

The project has three implementation goals in addition to the policy goals listed above:

1. Increase youth engagement and leadership in community policy making;
2. Educate the public regarding the risks associated with youth exposure to alcohol advertising as well as the social justice issues associated with retail alcohol advertising practices;
3. Shift social norms regarding acceptability of youth exposure to alcohol advertising.

Youth engagement and leadership is a critical aspect of the project, designed to:

- Engage youth in an important research endeavor;
- Teach youth how to link these research findings to the policy making process; and
- Give youth the opportunity to lead a grassroots policy campaign.

Enacting a local ordinance provides a laboratory for youth advocacy and learning.

THE PROBLEM

The Lee Law advertising provisions address two critical community problems:

1. Youth exposure to alcohol and tobacco advertising increases the risk of youth alcohol and tobacco consumption and problems;
2. Large numbers of window signs on liquor stores contributes to crime, violence, neighborhood blight and other nuisance activities, particularly when they block a clear view into the stores.

Anecdotal reports suggest that violations are more likely to occur in low income, ethnic communities already facing a myriad of problems associated with racism, economic underdevelopment, and violence. Enforcing and strengthening these advertising provisions therefore reflects an important social justice agenda.

METHODOLOGY

Three Santa Cruz County communities with diverse ethnic and income makeup were selected for the study (Watsonville – large Latino population, lower income) compared to Aptos and Scotts Valley – primarily Anglo populations, high income). Young people with adult mentors photographed the windows of all retailers in the three communities. The photos were then examined to determine compliance rates with the two Lee Law provisions both with and without the law's loopholes (see sidebar for description).

RESULTS

- Compliance rates were substantially lower in Watsonville (39%) than in Aptos (71%) or Scotts Valley (70%).
- Compliance rates would be lower if the law's loopholes were not applied. (See Table 1).
- The loopholes' effects are more pronounced when examining only the compliance rates with the store window coverage provision. (see Table 2).
- Watsonville stores were much more likely to be out of compliance with the "clear view" provision than stores in the other two sites.

Table 1

Community	w/loopholes (%)	w/o loopholes (%)
Watsonville	39	25
Aptos	71	65
Scotts Valley	70	65

Table 2

Community	Window compliance w/loopholes (%)	Window compliance w/o loopholes (%)	Cash register view (%)
Watsonville	39	25	55
Aptos	71	65	75
Scotts Valley	70	65	75

THE LEE LAW LOOHPHOLES AND WEAKNESSES

The study assessed the impact of three Lee Law. When calculating the 33% window coverage limit, the California Alcohol Beverage Control (ABC) Department does not include:

- Clear spaces within ads and signage; and
- Ads and signage on fixtures visible through or in front of the windows but not actually attached to the windows.
- Banners and other advertising outside the store. In addition to closing these loopholes, the model local ordinance being developed will strengthen the Lee Law by:
- Lowering the 33 percent limit to 15 percent;
- Including alcohol advertising placed close to the floor, at the eye level of young children.

DISCUSSION

Our findings support three key hypotheses:

- Lower income, ethnic communities are more likely to have stores that violate the Lee Law, resulting in increased youth exposure to alcohol advertising and increased risk of crime.
- The Lee Law loopholes substantially undermine the law's effects.
- Local ordinances that tighten the Lee Law's requirements and promote enforcement by local law enforcement agencies can significantly enhance community safety and reduce youth exposure to alcohol advertising.

Maria D'Andrea and Jim Mosher
Alcohol Policy Consultations
831.246.2005
maidandrea@icloud.com

The Lee Law Project

Appendix F:

Sample Merchant Letter

Dear Merchant,

We are writing to urge you to become aware of the advertising provisions in (YOUR TOWN/COUNTY/CITY) and the California's state Lee Law and to insure that you are complying with them.

The California's Lee Law prohibits off-sales retailers from covering more than 33% of their windows with advertising and other signage. It also requires that the cash register area is readily visible from outside the store. The law is important because it promotes healthy community environments by reducing youth exposure to alcohol advertising and risk of crime. Law enforcement officials report that their ability to protect you from robbery and other illegal activity is greatly enhanced when they can easily view the inside of your premises from the outside.

Recently, youth from (INSERT YOUR GROUP HERE) conducted a research project to determine compliance with the law in (YOUR TOWN). They found that many stores were in violation of the Lee Law. We can provide you with the results for each community at your request.

We assume that one major reason for these violations is the lack of awareness of the requirements of the Lee Law. We have enclosed an information sheet regarding the law from the California Department of Alcoholic Beverage Control. We encourage you to review this document as well as your current window signage practices to insure that you are in compliance.

The (INSERT YOUR GROUP PROGRAM) is sponsoring this youth-led project to promote compliance with the Lee Law and to promote (INSERT PROJECT GOAL) of youth development and leadership in community programs. We plan to follow up with you and other merchants in 30 days to assess voluntary compliance and to report our results to policy makers and the public.

Please do not hesitate to contact (INSERT GROUP, OR CONTACT PERSON) at (PHONE NUMBER OR EMAIL)

Sincerely,

Appendix G: Model Ordinance

MODEL “LEE LAW” LOCAL ORDINANCE TO REDUCE OFF-SALE ALCOHOL RETAIL OUTLET ADVERTISING

ARTICLE 1: Findings

The City Council or Board of Supervisors of _____ finds the following:

- A. California Business and Professions Code Section 25612.5 (c)(7) provides as follows:

“No more than 33 percent of the square footage of the windows and clear doors of an off-sale outlets shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlets, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the outlets.”
- B. California Business and Professions Code Section 25612.5(b) states: *“The standards set forth in this section [including the signage provision in subsection (c)(7)] are state standards that do not preclude the adoption and implementation of more stringent local regulations that are otherwise authorized by law.”*
- C. The state law provisions regarding signage at off-sale alcohol retail outlets are weak and ambiguous and are therefore difficult to enforce. Specifically:
 1. The 33 percent calculation is made based on all windows and glass doors measured in aggregate, including those that do not provide ready *visual access to the public (for example, windows in alley ways or in a second story of the building). This allows for much higher concentrations of signage on windows and glass doors that create an obstructed view of the interior of the outlet.*
 2. The calculation does not include clear spaces within ads and signage even though the clear space is an integral part of the advertisement or sign.
 3. The calculation does not include advertisements and signage on fixtures not actually attached to the windows or doors but nonetheless visible through or in front of the windows or doors. From the standpoint of the viewer, this distinction is irrelevant.
- D. The weak and ambiguous provisions found in Business and Professions Code Section 25612.5(c)(7) impairs the ability of law enforcement personnel to observe criminal activities occurring in the outlets and to reduce neighborhood blight and crime.³
- E. Enacting this local ordinance will strengthen the state provisions related to off-sale alcohol retail outlets window signage, and enhance enforcement.

³ Maguire, M., Foote, R., Vespe, F. (1997). *Beauty as well as bread. Journal of the American Planning Association* 63: pp. 317-328; Parker, R., McCaffree, K., Alaniz, M. and Cartmill, R. (2013). *Sexual violence, alcohol, and advertising. Pp. 39-60 in: Parker, R. and McCaffree, K. Alcohol and Violence: The Nature of the Relationship and the Promise of Prevention. NY, NY: Lexington Books.*

- F. *[Insert results of compliance surveys here. For example: “A recent compliance survey conducted by ----- determined that – percent of off-sale alcohol retail outlets were in violation of the state law provision cited in Section A. If supported by the data, add a statement that compares violation rates in low and high income neighborhood, and note that public nuisance activities associated with off-sale alcohol retail outlets are more likely to occur in low income areas.]*
- G. A requirement that off-sale alcohol retail outlets limit advertisements and signage on no more than 15 percent of window and clear door space represents a reasonable standard that does not unduly restrict the ability of alcohol off-sale retailers to market alcoholic beverages to adult customers. Many off-sale alcohol retail outlets already voluntarily follow stricter standards without harm to their businesses.

Commentary

The Findings provide the rationale for the ordinance and establish the authority of the local City Council or Board of Supervisors to enact it. Sections A and B address the issue of state preemption. As stated in California Business and Professions Code (B & P Code) Section 25612.5(b), the fact that the state has enacted provisions related to window coverage does not preclude a local government from enacting stricter standards because the legislature has stated that this is permitted. Sections C, D, E, and F list the purposes of the ordinance. Section G should be augmented with the findings from the compliance survey. See example. Section H establishes a basis for defending against arguments that the ordinance violates the retailers’ commercial speech rights under the U.S. Constitution’s First Amendment.

ARTICLE 2: Definitions

- A. “Off-sale alcohol retail outlet” means any establishment licensed by the California Department of Alcoholic Beverage Control to sell alcohol for consumption by patrons outside of the establishment.
- B. “Signs” and “signage” means any advertisement, placard, or object of any kind that is affixed or attached to, or otherwise obstructs the view through, the windows or glass doors of an off-sale alcohol retail outlet.

ARTICLE 3: Off-Sale Alcohol Retail Outlet Signage Provisions

- A. No more than 15 percent of the square footage of each window and clear door that is visible to the public from a public thoroughfare, sidewalk, or parking lot of an off-sale alcohol retail outlet shall bear advertising, signs or other obstructions of any sort.
1. For the purposes of this section, the area covered by signs or advertising includes all clear areas within signs or advertising, such as the clear area within neon signs.
 2. For purposes of this subsection, signage, advertising or other obstructions inside or outside the off-sale alcohol retail outlet that are not physically attached to the windows or doors but are visible from a public thoroughfare, sidewalk, or parking lot in the same manner as if they were physically attached is included in the 15 percent limitation.

- B. All advertising and signage on windows and clear doors shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlets, including the area in which the cash registers are maintained, from exterior public sidewalks, parking lots, or entrance to the outlets. This requirement shall not apply to outlets where there are no windows or clear doors.

Commentary

Article 3 lists the specific restrictions associated with advertising and signage on the windows and buildings of off-sale alcohol retail outlets and on public thoroughfares in close proximity to the outlets. The restrictions incorporate and extend relevant provisions of the State Lee Law (B & P Code Section 25612.5[c][7]) quoted in the Findings and address the State law's loopholes and omissions.

Section A addresses window signage. State law restricts signage to 33 percent of all windows (without regard to their visibility to the public), which can result in windows and doors most visible to the public being largely or even completely covered. The model ordinance improves on this provision by limiting signage to 15 percent of each window or clear door visible to the public. The subsections close loopholes to the state law regarding the clear space within advertisements and signs and including signage or obstructions to windows and doors that are not actually attached to the windows or doors. Section A is designed to promote effective enforcement of and compliance with the law concerning obstruction of view into the interior of alcohol retail outlets, reduce community blight as the result of excessive signage on windows and doors, and reduce youth exposure to alcohol and tobacco advertising.

Section B incorporates into the Model Ordinance the same provision found in the Lee Law (B & P code Section 25612.5[c][7]). This will allow local authorities to enforce this provision through local procedures included in Articles Four and Five.

Note that many local jurisdictions already have sign ordinances that may restrict window signage on alcohol retail outlet windows and doors. These ordinances may be specific to alcohol retail outlets or may address signage in all retail businesses. The provisions here may need to be integrated into these pre-existing provisions.

ARTICLE 4: Enforcement and Penalties

- A. The Director of the Planning Department, the Chief of Police, the Director of the Department of Public Health or the Director of the Department of Building Inspection, or the designee of any of these officials, may issue a citation notifying a licensee of an off-sale alcohol retail outlet that it is in violation of the provisions of Article 3. The citation shall notify the licensee that penalties will be imposed as specified in Section B of this Article and the waiver of those penalties if corrective action is taken as specified in Section C of this Article. The citation shall also notify the licensee that the licensee has the right to appeal as provided in Article 6. Pictures documenting the violation(s) shall be taken by the officer issuing the citation. All records, including pictures, shall be maintained by the [designate agency administering the ordinance].

- B. Violations of any provision of Article 3 shall be punishable by a fine of \$500 for a first violation that is corrected within a 48 hour period. An additional fine of \$250 per day shall be imposed for a first violation that continues longer than 48 hours, subject to the waiver provided in subsection C. A fine of \$1,000 shall be imposed for second and subsequent violations within a 12 month period that are corrected within a 48 hour period. An additional fine of \$300 per day shall be imposed for second and subsequent violations that continue longer than 48 hours. The maximum fine for a single violation shall be \$10,000.
- C. If the licensee of the off-sale alcohol retail outlets provides evidence to [designate agency administering the ordinance] that the first violation in a three year period was corrected within 48 hours of date of the citation and that no subsequent violations have occurred, the penalty listed in Section B of this Article shall be waived. A maximum of one waiver shall be issued to a licensee of an off-sale alcohol retail outlet in any three year period.

Commentary

Article 4 establishes procedures to enforce the model ordinance and penalties for violation. The enforcement provisions should be modified as needed to conform to local practice. In general, giving multiple agencies authority to issue citations can enhance the likelihood that enforcement may occur. Additional provisions may be advisable to specify what agencies handle citations and maintain records.

Penalties may also be adjusted to conform to local practice. The model ordinance provisions are designed to promote compliance by providing a grace period and by imposing additional fines for violations that are not corrected over time.

ARTICLE 5: Appeal

The licensee of an off-sale alcohol retail outlet may appeal the issuance of the citation and any penalty imposed pursuant to Article 4 to a hearing officer appointed by the City Administrator. Hearings shall be limited to determining whether the violation or violations specified in the citation has occurred or is continuing to occur. Decisions of the hearing officer may be appealed as specified in [relevant provisions of the city or county zoning code].

Commentary

An appeals process is required to insure that the due process rights of those receiving citations are protected. An administrative appeal is recommended that is limited to a determination whether the violation has occurred or is continuing to occur. The provision should conform to similar appeals processes in place in the particular jurisdiction.

