

ATTACHMENT
Current City Ordinances (Excerpts)

The following list includes pertinent sections of the city code that currently regulate graffiti:

Park Hours

SECTION 10.18, Public Parks

Subd 7. Park Hours

- A. All parks shall be open from sunrise until 10:30 PM of each day.

Park Behavior

SECTION 10.18, Public Parks:

Unlawful to...

Subd 2, A, 1. Disfiguration and Removal... willfully mark, deface....

Subd 6, C. Disorderly Conduct - Engage in boisterous, threatening, abusive, insulting or indecent language, or engage in brawling or fighting or in any disorderly conduct or behavior tending reasonably to arouse alarm, anger, or resentment in others, knowing or having reasonable grounds to know that such language or behavior will, or will tend to, alarm, anger or disturb others or provoke an assault or breach of the peace.

Graffiti

SECTION 10.25. GRAFFITI.

Subd. 1. Definitions.

2. "Deface" – to negatively alter the appearance of something by removing, distorting, adding to, or covering all or any part thereof.
3. "Graffiti" – any writing, printing, mark, sign, symbol, figure, design, inscription or other drawing scratched, scrawled, printed, drawn or otherwise placed on any surface of a building, wall, sidewalk, sign, phone pole or train car or any permanent structure on public or private property which has the effect of defacing the property.
4. "Graffiti Materials" – Includes painting, aerosol or pressurized containers of paint, indelible markers, ink, dye or any other substance capable of defacing property.

5. "Vandalism" – willful damage, destruction, or defacement of public or private property.

Subd. 2. Unlawful Conduct, Creation of Graffiti and Possession of Graffiti Material.

A. It shall be unlawful for any person to intentionally place graffiti on any surface located on public property, or on any exterior surface located on private property.

B. It shall be unlawful for any property owner to allow graffiti to be placed on any exterior surface on the owner's property.

Subd. 3. Owner's Responsibility.

A. The owner shall notify the Police Department within 24 hours upon discovering graffiti that has been placed upon the property.

B. After they have notified the Police Department, the owner of such property shall remove or cover over any graffiti which has been placed upon the property.

C. Within 48 hours after notifying the Police Department the owner of such property shall initiate efforts to cover or remove said graffiti explained in Subdivision 3D below.

D. Within 120 hours after notifying the Police Department, the graffiti shall be completely removed or covered over by the following methods:

1. Owner shall, at their expense remove or cover over, or cause to be removed or covered over, all graffiti on exterior surfaces of owner's property.

2. If the owner is unable to remove or cover over the graffiti from private property, the owner shall immediately request the City remove or cover over the graffiti. The City may make arrangements for the removal or coverage of the graffiti with an independent agency. The cost of cleanup shall be borne by the City and the agency working with the City and shall not be passed on to the private property owner.

3. In the event the person or persons responsible for the graffiti are convicted and the Court orders the offender(s) to pay restitution for the cost of the cleanup, and the property owner or the City have expended funds to remove and/or cover over the graffiti, the restitution shall be directed to the property owner or the City in the amounts that they expended removing or covering over the graffiti.

Subd. 4. Cost of Cleanup of Graffiti. In the event the City or an agent of the City removes and/or covers over the graffiti, an accurate record of the cost incurred therefor shall be kept.