

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal
Dept.: City Manager
Subject: UPDATE OF CITY'S GRAFFITI
ORDINANCE AND ESTABLISHMENT OF
ADMINISTRATIVE FINES FOR
GRAFFITI VIOLATIONS

From: Joseph M. Polisar
Dept.: Police Department
Date: August 26, 2008

OBJECTIVE

To introduce an ordinance updating and amending (1) Chapter 64 of Title 8 of the Garden Grove Municipal Code relating to graffiti prevention, prohibition and removal; and (2) Section 010 of Chapter 22 of Title 1 of the Garden Grove Municipal Code to establish administrative fines for graffiti violations.

BACKGROUND

This ordinance updates the Garden Grove Municipal Code to enhance the City's ability to enforce and prosecute graffiti vandalism. Additionally, this ordinance establishes administrative fines for graffiti violations. The revision to the graffiti ordinance includes the following:

- Updates the definition of "graffiti" for consistency with the current definition under state law;
- Updates other definitions to reflect the tools and implements currently used by graffiti vandals, specifically including "adhesive stickers" as an implement and form of graffiti and enhances the City's ability to recover costs associated with graffiti abatement;
- Updates the prohibitions against graffiti to encompass current forms of graffiti used by graffiti vandals;
- Continues to make it unlawful for any person owning or controlling any real property to allow graffiti on their property if it is visible from the street or public or private property;
- Makes it unlawful for any minor to possess a graffiti implement unless the minor is accompanied by a parent, guardian or under the immediate supervision of a teacher or educational instructor;

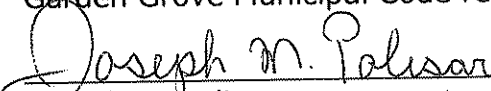
- Makes it unlawful for any person, other than a parent or legal guardian, to furnish any graffiti implement to any minor without the prior written consent of the parent or guardian;
- Specifies that real property owners may provide advance consent to the City to enter onto their property for graffiti removal purposes;
- Authorizes the filing of civil complaints against parents or legal guardians of minors who deface public or private property;
- Allows the City to seek the recovery of attorney fees in any action brought to abate a graffiti violation should the City so elect at the initiation of the individual action and be the prevailing party; and
- Provides that certain graffiti violations are subject to administrative citations with fine amounts ranging from \$300.00 for the first offense to \$1,000.00 for the third offense within one year.

FISCAL IMPACT

None. Funding for graffiti enforcement is included in the City's existing budget.

RECOMMENDATION

Read by title only, waive further reading, and introduce Ordinance ____ amending Chapter 64 of Title 8 of the Garden Grove Municipal Code relating to graffiti prevention, prohibition and removal and amending Section 010 of Chapter 22 of Title 1 of the Garden Grove Municipal Code relating to administrative fines.



 Joseph M. Polisar
 Chief of Police


By: [Signature]

By: 

 Lieutenant David Kivler

Attachment: Proposed Ordinance

Approved for Agenda Listing



 Matthew Bertal
 City Manager