

GRAFFITI REMOVAL

I. PURPOSE:

The following guideline establishes policies and procedures to define and set criteria for graffiti removal.

II. RESPONSIBILITY:

Responsibility for revising this guideline rests with the City Manager's Office. Responsibility for enforcing the provisions set forth in this guideline rests with the Housing and Neighborhood Programs Department.

III. POLICY:

It shall be unlawful for any person to apply graffiti on any public or privately-owned structure located on public or privately-owned real property within the City. The existence of graffiti within the City Limits of the City of Little Rock is hereby declared to be a public and private nuisance, and may be abated according to the provisions and procedures contained herein pursuant to State Law.

A. Right of City to Require the Removal of Graffiti by Property Owner: It shall be unlawful for any individual who is the owner, or who has primary responsibility for control of property or who has primary responsibility for the repair or maintenance of property ("responsible party"), to permit property which is defaced with graffiti to remain so defaced for a period of seven (7) days after receiving notice by the City that the property is defaced with graffiti.

B. Right of City to Remove Graffiti:

1. Right of Entry on Private Property: If after proper notice, a responsible party fails to remove graffiti within the time specified in this article, the City shall have the right to enter upon any property for the limited purpose of removing graffiti that is within the public view.
2. Use of Public Funds: Whenever graffiti located on public or privately-owned property is viewable from a public place within the City, the City Manager, or his designee, may direct the use of public funds for the removal of same, or for the painting or repairing of same, provided that the City Manager shall not authorize or

undertake to provide for the painting or repair of any more extensive area than that where the graffiti is located. If the City Manager, or his designee, determines in writing that a more extensive area is required to be repainted or repaired in order to avoid an aesthetic disfigurement to the neighborhood or community and the responsible party deposits monies to pay for the costs of repainting or repairing, a more extensive area may be repainted or repaired.

3. Lien Against the Property: Expenses incurred by the City under this section shall be charged to the owner of the premises involved and shall be collected in the manner as provided in Section 20-3 of the Little Rock, Arkansas, Revised Code.

All complaints will be received by the Housing and Neighborhood Programs Department, who will coordinate all activities for graffiti removal through the Neighborhood Alert Centers.

IV. PROCEDURE:

A. Citizen Complaint:

1. All citizen complaints will be received in the City of Little Rock 311 System or Housing and Neighborhood Programs Department.
2. All complaints will be logged and forwarded to the appropriate Code Enforcement Personnel.

B. Enforcement Action:

1. Once a complaint has been received, a Code Enforcement Officer inspects the property and determines ownership.
2. If the property owner is a local resident, the Code Enforcement Officer will serve notice to remove the graffiti within seven (7) days.
3. Upon expiration of the notice period, the Code Enforcement Officer will re-inspect the property.
4. If the graffiti has been removed, the Code Enforcement Officer will take no further action except to revisit the property periodically. If the graffiti reappears, the Code Enforcement Officer will serve another notice to correct the situation.
5. If the situation has not been corrected, the Code Enforcement Officer will issue a citation to the owner to appear in Municipal Court.

C. Alert Center Target Area – Abatement by the City of Little Rock:

1. If the Code Enforcement Officer determines that the property is owned by a non-local resident and the property is located within an Alert Center Target Area, the Code Enforcement Officer will determine what resources will be needed to remove the graffiti. These resources include the amount of chemicals, paint, ladders, brushes, etc., as well as an estimate of time and personnel needed to accomplish the project.

2. This information will be forwarded to the appropriate Neighborhood Alert Center Facilitator along with ownership information.
 3. The Neighborhood Alert Center Facilitator will obtain a release from the property owner granting permission to enter the property.
 4. The Neighborhood Alert Center Facilitator will then contact the neighborhood organizations to get volunteers to remove the graffiti, and will coordinate with these organizations to get the needed equipment and materials to the site at the designated time.
 5. It will be the responsibility of the Neighborhood Alert Center Facilitator to obtain release of liability from the volunteers who remove the graffiti.
 6. In cases where there is not a neighborhood organization, the Neighborhood Alert Center Facilitator will coordinate with the Little Rock Police Department and/or Traffic Court to get trustees or Community Service Works to remove the graffiti.
 7. Funds to purchase the chemicals, paint, brushes, ladders, etc., will come from the Graffiti Removal Account.
 8. All expenditures from this account must first receive prior approval from the Housing and Neighborhood Programs Department Director.
- D. Outside Alert Center Target Area – Abatement by the City of Little Rock:
1. When initiating the graffiti removal outside the Neighborhood Alert Center target areas when the owner is a local resident, the Code Enforcement Officer will execute the same action as outlined in 'B' of this procedure guideline.
 2. If the owner is not a local resident, the Code Enforcement Officer will give the non-local owner a thirty (30)-day notice to remove the graffiti.
 3. During the thirty (30)-day notice period, the Code Enforcement Officer will forward the appropriate information to the Housing and Neighborhood Programs Department Demolition and Contracts Section.
 4. The Housing and Neighborhood Programs Department Demolition and Contracts Section will begin the process of bidding for contract removal of the graffiti.
 5. If contract correction is required, a lien for the incurred costs will be placed against the property.

Approved:



Bruce T. Moore
City Manager