

9.10.010 Definitions

The words and phrases used in this chapter, unless the context otherwise indicates, shall have the following meanings:

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H. “Graffiti” means any unauthorized writing, painting, drawing, inscription, figure, or mark of any type, visible from premises open to the public, that has been placed upon any property through the use of paint, ink, chalk, dye, markers, objects, adhesive material, or any other substance capable of marking property. This definition does not include easily removable chalk markings on the public sidewalks or streets.

I. “Premises open to the public” for purposes of graffiti nuisances means all public spaces, including but not limited to streets, alleys, sidewalks, parks, and open public space, as well as private property on to which the public is regularly invited or permitted to enter for any purpose.

J. “Property” for purposes of graffiti nuisances means any real or personal property which is affixed, incidental, or appurtenant to real property, including, but not limited to, any structure, fence, wall, sign, or any separate part thereof, whether permanent or not.

K. “Unauthorized” means without the consent of the person responsible for the violation as that term is defined in BCC 1.18.020.

9.10.030 Types of Nuisances

Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the applicable department director determines that any of these conditions exist upon any premises, the applicable department director may provide for the abatement thereof and monetary penalties may be assessed pursuant to Chapter 1.18 BCC, Civil Violations:

...

K. The existence of graffiti.