

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6737

AN ORDINANCE amending Bellevue City Code (BCC) Chapter 9.10, Nuisances, declaring graffiti a public nuisance; providing for severability; and establishing an effective date.

WHEREAS, the presence of graffiti impacts public health, safety, welfare, and quality of life; and

WHEREAS, complaints about the presence of graffiti in Bellevue have increased in recent years; and

WHEREAS, the City Council wishes to create a mechanism to require removal of graffiti; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 9.10.010 of the Bellevue City Code is hereby amended to read as follows:

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

...

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.

Section 2: Section 9.10.030 of the Bellevue City Code is hereby amended to read as follows:

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.

Section 3. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4. This ordinance shall take effect and be in force thirty (30) days after passage and legal publication.

Passed by the City Council this _____ day of _____, 2023 and signed in authentication of its passage this _____ day of _____, 2023.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

Jessica Nadelman, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____