

**ORDINANCE 93-03**

**AN URGENCY ORDINANCE OF THE RIDGECREST CITY COUNCIL AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO GRAFFITI PREVENTION AND ABATEMENT**

**BE IT ORDAINED BY THE RIDGECREST CITY COUNCIL** as follows:

**Section 1. Purpose.**

This Ordinance amends the Municipal Code to prohibit and provide for the removal of graffiti.

**Section 2. Findings.**

The Council finds, determines and declares as follows:

- (a) Graffiti within public view constitute a visual blight;
- (b) Graffiti tend to promote juvenile gang activities and juvenile gang competition;
- (c) Graffiti constitute a public nuisance which threatens public health, safety and welfare;
- (d) The public safety and welfare is threatened by the proliferation of graffiti and associated criminal violence.

**Section 3. Amendment.**

Article 20, commencing with Section 4-20.101 of the Ridgecrest Municipal Code is hereby amended and reenacted to read as follows:

**"Article 20 GRAFFITI ABATEMENT**

**4-20.101 General**

- (a) No person shall place graffiti on property owned by the City.
- (b) No person shall permit graffiti to be placed or remain on privately owned property visible beyond the boundaries of the lot or parcel.
- (c) Violation of this section is an infraction.

**4-20.102 Definitions**

The following terms are defined for the purposes of this article unless otherwise apparent from context:

- (a) *Graffiti* are crude drawings, inscriptions or defacement applied to property without the consent of the owner or person in possession.
- (b) *Graffiti implement* are aerosol spray paints, paints, dyes, polish, broad tip markers containing anything other than a water soluble solution.
- (c) *Broad tip markers* are marker pens with a tip broader than 3/8" in width.

**4-20.103 Graffiti Implements**

(a) It is an infraction for any person to possess graffiti implements within any city owned buildings, at any city owned facility or on private property without the permission of the owner or person having control thereof.

(b) A minor shall possess graffiti implements only upon the property of a parent or guardian or under the supervision of a parent or guardian while upon the property of another.

(c) Every person who operates or manages a retail commercial business selling graffiti implements shall place a sign on public view stating substantially the following:

'Placing graffiti is a crime. Possession of graffiti implements is also a crime under certain circumstances. It is a crime to sell or convey aerosol spray paint or broad tip markers to a minor.'

**4-20.104 Graffiti Removal**

The Director of Public Works, or designee, shall inspect city facilities for the presence of graffiti. The Director shall arrange for removal of graffiti from City owned and operated buildings within 48 hours of discovery.

**4-20.105 Parental Responsibility**

Pursuant to Section 1714.1(b) of the California Civil Code, every parent or legal guardian having custody or control of a minor who defaces property by inscribing graffiti thereon shall be jointly and severally liable with such minor for any resulting damages incurred by the property owner in an amount not to exceed Ten Thousand

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Dollars (\$10,000) for each such act of defacement.

Section 4. **Other**

(a) Except as provided herein, the Ridgecrest Municipal Code is hereby reaffirmed and readopted.

(b) This Ordinance is an urgency ordinance necessary for the preservation of public safety and welfare. This ordinance is effective immediately.

**APPROVED AND ADOPTED THIS** 8th day of July, 1993, by the following vote:

Ayes: Mayor Corlett, Council Members Auld, Bitney, Bryan, and Parode.

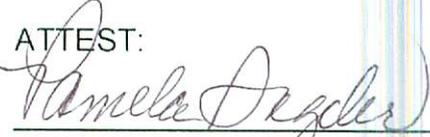
Noes: None.

Abstain: None.

Absent: None.

  
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Kevin S. Corlett, Mayor

ATTEST:

  
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Pamela Snyder, Interim City Clerk