

ORDINANCE #68

**DAMAGING PROPERTY - GRAFFITI.**

The Board of the Village of Cochrane does ordain as follows:

(a) **Prohibited.** It shall be unlawful, and is hereby declared a nuisance to place graffiti, or permit graffiti to remain upon any public curb stone, flagstone, brick or sidewalk or any portion of any part of any sidewalk or street, or upon any tree, lamp post, telephone pole, utility box, utility pole, stanchion, postal mail receptacle, sign, hydrant, fence, door, wall, window, garage or enclosure, vehicle, bridge, pier or upon any other public property.

No person shall damage, defoul, disturb, destroy or deface any Village property or any public or private property without permission of the owner of private structure or building.

(b) **Defined.** "Graffiti" is any permanent display of any name, identification, letter, numeral, figure, emblem, insignia, picture, outline, character, spectacle, delineation, illustration, symbol or any combination thereof, which without authorization is marked, written, drawn, painted, scratched, inscribed or affixed, and which is a different color from the color of the exterior of those objects or structures described above and to which is affixed.

(c) **Removal.** It shall be the duty of the Village Board to serve or cause to be served, a notice upon the owner or party in possession of any such object or structure upon which graffiti is present and to demand the abatement of the nuisance within 3 days. All exterior surfaces shall be kept clean and free of graffiti. Surfaces which have been exposed to graffiti shall be cleaned, painted or in some manner covered, so as to effect the complete removal of the graffiti from that surface and return the surface to its prior condition within 3 days of receipt of the violation notice to the owner unless extenuating circumstances prevent the work from being done, in which case the Village Board may give an extension for the removal of graffiti.

(d) **Penalty.** Unless otherwise provided in this chapter, any person, firm or corporation violating any section of this chapter shall be fined \$100 for each offense and shall be obligated to pay for the Village's costs of prosecution.

(e) **Enforcement.** This ordinance shall take effect and be in force from and after its publication having been passed this 14th day of July 2003.

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/s/ Mark Weaver, President

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/s/ Sherry Lorenz, Village Clerk