



2024 GRAFFITI ABATEMENT PROGRAM – CODE UPDATE

CITY COUNCIL HEARING

February 14, 2024



THE BUREAU OF
**PLANNING &
SUSTAINABILITY**



Agenda

- 1. Graffiti Abatement Program Review**
- 2. Graffiti Code Update Overview**
- 3. Why Change is Needed**
- 4. How it Will Work**
- 5. Criteria for Enforcement Action**
- 6. Community Benefits**



Graffiti Abatement Program

- **Administers the City's Graffiti Reporting Portal.**
- **Sends graffiti service requests to the appropriate agencies and stakeholders.**
- **Assists small businesses, non-profits and private residential property owners with graffiti abatement.**
- **Assists and provides resources to Volunteers for graffiti abatement.**
- **Coordinate and share information with Portland Police.**



Program Highlights: Sept. 2022 – Dec. 2023

- **503,459 square feet of graffiti abated**
- **11,503 graffiti service requests abated by contractors**
- **1,016 graffiti service requests referred to PBOT**
- **533 graffiti service requests referred to Parks**
- **214 graffiti service requests referred to ODOT**
- **810 abatement letters mailed out**
- **Provided 167 graffiti removal kits, 75 bottles of graffiti removal spray, and vouchers for up to 325 gallons of metro paint**



Graffiti Code Update Overview

- **Updates the language in the Graffiti Code 14B.80.040 to add the following Section:**
 - **F. To enforce any of the requirements of this Title, the Manager may gain compliance by instituting an action before the Code Hearings Officer as set out in Title 22 of City Code in addition to any other available remedies.**



Why Change is Needed

- **Current City Graffiti Code**
 - Owner's responsibility to remove graffiti.
 - Some property owners do not respond to enforcement letters.
 - **Current enforcement process:**
 - Secure an administrative warrant from a judge.
 - Pay a contractor to abate the graffiti on the property.
 - Charge the owner the cost of abatement plus a 25% administrative fee and place a lien on the property.



How Can We Improve?

- **Utilizing the Code Hearings Office**
 - Provides the Graffiti Abatement Program with another process, one utilized successfully by BDS, to enforce City Code.
 - May compel a response from a non-responsive property owner, resulting in graffiti removal prior to formal proceedings whenever possible.
 - Can administer civil penalties.
 - Enforce City Graffiti Code without impacting the Program's budget.



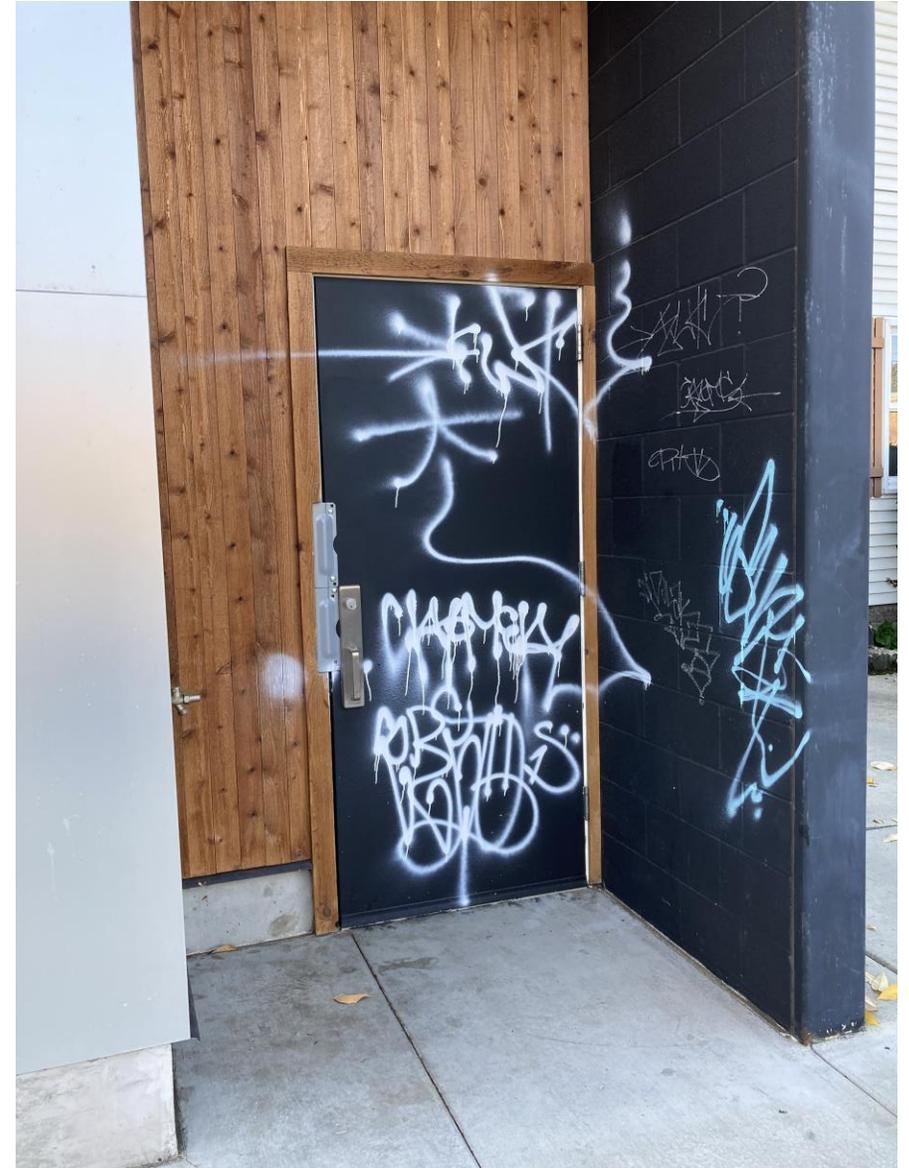
How It Will Work

- **Will be utilized on the most egregious properties that are in violation of the City's Graffiti Code and are not engaged in maintaining their property.**
- **The Manager will start a complaint with the Code Hearing's Office when all other avenues have been exhausted:**
 - **First, Second, and Escalated Abatement Letters have been sent.**
 - **Attempted contact via other means such as email, phone, or site visits.**
 - **Owner/s is non-responsive or refuses to work with Graffiti Abatement Manager on an appropriate timeline to address the graffiti.**



How It Will Work

- **Code Hearings Office will adjudicate the case and may compel compliance and/or assess civil penalties on the property owner if they find them in violation of City Code.**
- **Property Owners will have the opportunity to come into compliance prior to assessment of civil penalties and will have the opportunity to appeal any rulings.**



Criteria for Enforcement Action

- **The Graffiti Abatement Program Manager will consider the following when initiating a graffiti enforcement action with the Code Hearings Office:**
 - **Multiple reports about a specific site/property that have been received via Problem Solver meeting(s), other public agencies and/or neighborhood associations, or program staff have identified the property as a high impact location.**
 - **Graffiti is in a highly visible area and impacting the surrounding neighborhood.**
 - **Multiple attempts at contacting the owner have been made and there is no meaningful action by the property owner to abate and address the graffiti on their property.**





Community Benefits

- **Will improve neighborhoods across the city through enforcement of the City's Graffiti Code.**
- **Provides the Graffiti Abatement Program a tool that allows for enforcement with limited budgetary impact.**
- **The Code Hearings Office is an impartial entity that will adjudicate Graffiti Enforcement Actions based on the facts of the case and City Code.**
- **Responds to community feedback desiring City Code enforcement in situations with unresponsive private property owners.**

Questions?



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