

PSF-2.03 - Graffiti

GRAFFITI

Administrative Rules Adopted by Police Bureau Pursuant to Rule-Making Authority

ARB-PSF-2.03

Section 1 - Procedure

Directive Specific Definitions

Graffiti is unauthorized markings, visible from premises open to the public, that have been placed upon any real or personal property such as buildings, fences, structures or similar types of surfaces, through the use of spray paint, ink, chalk or dye or any other similar substance or the unauthorized etching or scratching of such described surfaces where the markings are visible from premises open to the public.

Graffiti nuisance property is property upon which graffiti has been placed and is visible from premises open to the public and permitted to remain for more than seven days after the property owner of record and/or responsible party or occupant has been given a written notification requesting that the graffiti be removed as well as referrals to an organization(s) which supply a low cost graffiti cleanup.

Precinct Commander Responsibilities

When a precinct commander has been advised by the following specific set of people, Neighborhood Liaison Officer (NLO), neighborhood coalition, or the Mayor's Task Force on Graffiti, that a property has become a potential Graffiti Nuisance Property, the problem has been substantiated by PPDS statistics for Information and Referral's (I&R) Graffiti Hotline, and he/she believes that a property is a potential Graffiti Nuisance Property, the commander may appoint a sworn member to pursue remedy as defined in City Code 22.

Notifications/Enforcement

At the direction of the commander, the owner(s) of record and/or the responsible party, may be notified in writing using the Graffiti Nuisance Property Warning Letter, delivered by mail or in person, that their property has been identified as a potential Graffiti Nuisance Property. The Graffiti Nuisance Property Warning Letter will be issued which explains that abatement attempts have been unsuccessful, and provides directions for assistance in graffiti removal.

Notification in Person

If, after initial notification, seven days have elapsed and the graffiti remains on the property, the commander may order a sworn member(s) to re-contact the owner/ responsible party in person. Upon contact the member should investigate why the nuisance has not been abated. If the member finds that

the owner/responsible party has not taken reasonable steps to abate the nuisance, the member may initiate a Notice of Hearing.

Notification by Mail

In the event members are unable to contact the owner/responsible party in person, a certified letter may be sent to the owner of record and/or the tenants. This letter names the property as a Graffiti Nuisance Property, the precise conditions leading to this finding and requires removal of the graffiti within 72 hours. If the owner fails to respond to the certified letter, and/or the member finds that the owner/responsible party has not taken reasonable steps to abate the nuisance, the member may initiate a Notice of Hearing.

Notice of Hearing

To initiate a hearing before a City's Hearing Officer, a Hearings Notice must be filed with the Hearings Office, either in person or by mail. The Hearings Office will assign a date. With this date the notice can then be served to the owner/responsible party to appear before the Hearings Officer in accordance with City Code 22.

Section 2- References

City Code 14.140 Graffiti Abatement
City Code 22 Hearings Officer
City of Portland Graffiti Handbook
City of Portland Notice of Hearing
Graffiti Nuisance Property Certified Letter (Operations Branch)
Graffiti Nuisance Property Warning Letter (Operations Branch)

HISTORY

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