

WALTON COUNTY GRAFFITI ORDINANCE

ADOPTED 6-7-11

Walton County Graffiti Ordinance
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(a) Purpose and Intent.

The Walton County Board of Commissioners find and determine that graffiti is detrimental to the public health, safety and general welfare and is destructive of the rights and values of property owners as well as the entire community. Graffiti promotes blight in the neighborhoods in which it occurs and must be abated so as to avoid the detrimental impact of such graffiti on the County and to prevent the further spread of graffiti. Without prompt removal of graffiti, other properties become the target of graffiti, and entire neighborhoods are affected and become less desirable places to live and work. It is further the intent of the Board of Commissioners to give notice to all who disregard the property rights of others that the County will strictly enforce all laws prohibiting graffiti.

(b) Definitions.

- (1) "Graffiti" is defined as "any inscriptions, words, figures, paintings, engravings on or otherwise affixed to any surface of real property or improvements thereon without prior authorization of the owner or occupant of the property by means of any aerosol paint container, broad-tipped marker, gum label, paint stick, graffiti stick, etching equipment, brush, or other device capable of scarring or leaving a visible mark on a surface."
- (2) "Owner" means any person, agent, firm or corporation having a legal or equitable interest in a property.
- (3) "Permit" means to knowingly suffer or acquiesce by any failure, refusal or neglect to abate.
- (4) "Property" means any real or personal property and that which is affixed incidental or appurtenant to real property but not limited to any premises, house, building, fence, structure or any separate part thereof, whether permanent or not.

(c) Prohibited Acts.

- (1) It shall be unlawful for any person(s) to apply graffiti as defined herein.
- (2) It shall be unlawful for any owner of property to permit or fail to remove graffiti within fourteen (14) days of receipt of notice from the County to remove such graffiti.

(d) Notice to Remove.

- (1) Whenever the County becomes aware of the existence of graffiti on any private property which is visible to any person utilizing any public road, parkway, alley, sidewalk, or other right of way or any public park or property, a code enforcement officer or other designee shall cause a notice to be issued to abate such nuisance. The property owner shall be given five (5) days from the date of the notice to remove the graffiti or the same will be subject to abatement by the County.
- (2) The notice to abate graffiti pursuant to this section shall be a written notice and shall be served upon the owner of the affected property, as such owner name and address appears on the last property tax assessment rolls of Walton County, Georgia. If there is no known address for the owner, the notice shall be sent to the property address. The notice may be served in any of the following manners:
 - a. By personal service on the owner, occupant or manager of the property;
 - b. By registered or certified mail addressed to the owner; or
 - c. By posting a copy on the property.

(e) Removal by County; Lien.

Upon failure of the owner to comply with the notice to remove, the County shall cause the graffiti to be removed and charge any costs associated with removal to the owner of the property. If the expenses of the removal remain unpaid for a period of sixty (60) days, the County may place a lien against the property upon which said nuisance existed and from which the graffiti was removed.

(f) Violation.

Any person who shall do anything prohibited by this chapter or who shall fail to do anything required by this chapter shall be guilty of a misdemeanor and subject to the jurisdiction of the magistrate court of the County, and, upon conviction, shall be punished as provided in Section 1-12 of the Code of Walton County, Georgia.