



Council Request Update

July 5, 2018

Council Request: 18-084

Requested by: Council Member Barrentine

Request: Requested an explanation of how graffiti is dealt with throughout the City.

Assigned to: Police Department

Response: Please see the response from Code Enforcement Officer Futro.

Council Request: 18-088

Requested by: Mayor Pro Tem Russell

Request: Request for information regarding irrigation issues at Jason Park.

Assigned to: Parks, Recreation and Library Department

Response: The response from Open Space Manager Dave Lee: "The Parks Department is currently experiencing difficulties with the Jason Park pump station. An air relief valve is not functioning properly, causing the pump to shut down and halting irrigation operations. We are able to operate the pump station intermittently while waiting for the pump repair contractor to visit the site.

Please note that staff will be watering the grass during the day in order to insure that the pump is operating."



TO: Chief John Collins
FROM: Code Enforcement Officer Futro
DATE: June 29, 2018
SUBJECT: Council Request 18-084

CR18-084

Requested by: Council Member Laurrett Barrentine:

Requested an explanation on how graffiti is dealt with throughout the City.

Graffiti under EMC15-15-1 Defaced Property is declared to be a public nuisance.

Code Enforcement receives graffiti complaints in many different ways but not limited to a citizen driving by, the property/ business owner, referral from a different City Department or a Code Officer observing the violation on a property.

Once the graffiti is identified on private property, the process for notification and compliance is outlined under EMC15-3-2: - Administrative Abatement Procedure in Non-Emergency Situations:

15-3-2: - Administrative Abatement Procedure in Non-Emergency Situations.

If, after inspecting the property on which a nuisance is reported, the enforcement personnel who are charged or designated by the City Manager with investigating nuisances declare the existence of a nuisance, the following procedures shall be followed.

A. Photographs and/or videotapes and written reports and findings shall be generated.

B. The responsible party or parties shall be determined.

C. The Code Enforcement Officer(s) shall have the discretion to informally abate the nuisance by speaking with the responsible party. In the event that the informal proceedings fail to abate the nuisance within the seven (7) days or three (3) days in the case of graffiti the Code Enforcement Officer may, at his/her discretion, issue a

summons and complaint to the responsible party or shall issue a notice pursuant to E.M.C. 15-3-2(D).

D. If the nuisance has not been abated by the informal process or a summons and complaint has not been issued at the conclusion of the seven (7) days or three (3) days in the case of graffiti set forth in E.M.C. 15-3-2(C), a written notice in essentially the form set forth in E.M.C. 15-3-3 of this Chapter shall be served upon the responsible party by personal service or by leaving a copy of the notice at the usual place of residence or business of such owner, responsible party shown by the records contained in the County Clerk and Recorder's Office or in the County Tax Assessor's Office, or by mailing a copy of the written notice to such responsible party at such place or address by United States mail, certified return receipt. If service of such written notice is unable to be perfected by any methods described above, the enforcement personnel shall cause a copy of the notice to be published in a newspaper of general circulation in the City, once a week for two (2) consecutive weeks, or by publishing on the City's official website, or by posting the notice on the property.

E. The notice shall state clearly and concisely the findings of the enforcement personnel with respect to the existence of the nuisance, and the section of the City ordinance(s) that have been violated.

F. The notice shall also state that unless the responsible party shall cause the abatement of the nuisance pursuant to the notice and this Code, the City may abate the nuisance at the expense of the responsible party or may issue a criminal summons and complaint or both.

(Ord. 06/07-1; Ord. 08-24, § 9)

If graffiti is identified on, City owned property the responsible City Department is notified for the abatement.

Police Community Relations hosts several Graffiti Paint Out events every year. Typically, they occur once every month in the summer (May thru September). City staff and volunteers paint over or otherwise remove graffiti along S. Broadway and City Center areas where the damage is on City property.