

## REPORT TO CITY COUNCIL

**DATE:** AUGUST 22, 2007

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER

**BY:** NATHAN HAMBURGER, ASSISTANT CITY MANAGER

**SUBJECT:** INTRODUCTION OF ORDINANCE 07-347; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IV, CHAPTER 11, SECTIONS 41106, 41108, 41109(b), AND 41111, GRAFFITI PREVENTION AND REMOVAL, AND AMENDING THE NOTIFICATION TO OWNERS OR POSSESSORS OF PRIVATE PROPERTY, HEARING AND POSTING, AND ABATEMENT OF GRAFFITI WHERE IT IS VISIBLE

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In an effort to maintain the high quality of life that exists and to encourage the removal of graffiti in publicly visible areas in the most efficient time frame, staff has reviewed and is making recommendations to amend the City's existing municipal code relating to graffiti prevention and removal.

One of the key components to implementing a successful graffiti program is reducing the amount of time that the graffiti is visible to the public. Studies have shown that approximately 90% of the "tagging" or graffiti is done by young individuals who are seeking attention or recognition. By removing the graffiti in an expeditious manner, it reduces the amount of recognition that many "taggers" receive and maintains the look that the Agoura Hills community has come to expect. In some cases, the graffiti occurs on private property which cannot be immediately removed by the City without the permission of the property owner or business center management team. The City's existing municipal code addresses this situation, but currently allows graffiti to remain in the view of the general public in excess of forty-four (44) days if a property owner is unwilling to cooperate and remove the graffiti.

Although many of the private property owners are willing to cooperate with the City and its fight against graffiti, staff has looked at all aspects of the current graffiti program and identified the removal process within the code as a means to strengthen the program, reduce the amount of time graffiti remains visible to the public, and maintain the due process that is afforded all property owners. This proactive approach creates a more efficient means to address the graffiti removal issue. As such, City staff and the Public Works Committee are recommending the proposed changes to the municipal code, while implementing several new aspects to the existing graffiti program to assist property owners who are willing to comply with the municipal code.

The proposed new program contains features which would allow private property owners to have access to the most common paint colors, to be provided by the City, at no cost, to remove graffiti on their property. By supplying the paint and the use of any small painting equipment, the property owner is able to cover the graffiti and retain a consistent look within their property of their fences and walls, where graffiti usually occurs (annual budgetary cost of approximately \$7,500). Staff has also begun the process of negotiating agreements with several contractors that will be on call for the City and can remove graffiti on public and private property (with the owner's permission) at a fixed rate. This eliminates the private or business owner from having to locate and secure a competent contractor, allows for a fair and consistent cost to be offered to all property owners within the City's boundaries, and reduces the amount of time that graffiti remains visible.

The proposed Ordinance addresses the time frames in which graffiti is to be removed from private property and the time frames affecting the hearing and appeals process, should a property owner fail to comply with the established municipal code.

## **RECOMMENDATION**

The Public Works Committee respectfully recommends the City Council open and close the public hearing after accepting any public comments, introduce, read by title only, and waive further reading of Ordinance No. 07-347.

Attachment: Ordinance No. 07-347