



# City of Chicago



O2018-5006

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	6/27/2018
<b>Sponsor(s):</b>	Hopkins (2)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Section 7-28-065 concerning provisions for graffiti removal
<b>Committee(s) Assignment:</b>	Committee on Zoning, Landmarks and Building Standards

## ORDINANCE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 7-28-065 of the Municipal Code of Chicago is amended by inserting the language underscored and deleting the language stricken through, as follows:

**7-28-065 Graffiti Removal – Nuisance abatement**

(a) As defined in this section, graffiti is hereby declared to be a public nuisance. The owner of record, or the person in charge, possession or control of any building or structure upon which graffiti is placed or affixed shall, upon the appearance of the graffiti: (i) cause such graffiti to be removed or concealed or (ii) place on file a written statement authorizing the presence of the graffiti at the office of the commissioner of the department of streets and sanitation. Whenever any nuisance in the form of graffiti shall be found on any building or other structure that is not registered in accordance with paragraph (b) of this section, the department of streets and sanitation, or its agent or contractor shall attempt to obtain consent from the owner for the city's graffiti removal services. If such attempt to contact the owner is not successful, the department shall post a notice in a prominent place upon the building or structure where the graffiti is found which shall state that, if the graffiti is not removed or concealed or if a written statement authorizing the presence of the graffiti is not filed with the commissioner within five days after the notice is posted, excluding Saturdays, Sundays and legal holidays, the department or its agent or contractor shall have authority to enter or access the property and abate the nuisance by removing or concealing the graffiti.

(b) The owner of any building or structure that has art on it may voluntarily register with the department of streets and sanitation by filing a registration statement on a form provided by the department. The registration remains valid until the owner notifies the department to remove the building or structure from the registry provided for in this paragraph. In addition to other information requested by the commissioner of the department of streets and sanitation, the registration statement shall include the street address of the building or structure, the name, address, email and telephone number of a contact person and a description of the art. After determining a registration meets the requirements of this paragraph, the commissioner shall provide the contact person a sign provided by the commissioner recognizing the art as such and as not being graffiti, which the contact person must affix to the building or structure within seven (7) days to notify the department and others that art is located there and not graffiti. The commissioner shall maintain a registry of all buildings and structures registered pursuant to this paragraph. The commissioner must post the address and description of the art for every building and structure in the registry on the department's publicly available web site and shall make the registry database searchable with a mapping system. The map, or a link to the map, must also be on the website of the Department of Cultural Affairs and Special Events.

(bc) Nothing in this section shall prevent the city from taking any other enforcement action authorized by law.

(ed) "Graffiti" means an inscription, drawing, mark or design that is etched, painted, sprayed or drawn directly upon the exterior of any building or other structure and is visible from the public way; provided that, graffiti shall not include any sign permitted by the Zoning Code or any decoration that is part of the architectural design of the building or structure, provided that graffiti shall not include anything on buildings registered in accordance with paragraph (b) of this section.

**SECTION 2.** This ordinance shall be effective upon passage and publication.



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BRIAN HOPKINS  
Alderman, 2<sup>nd</sup> Ward