

**REVISED LEGISLATIVE DIGEST**

(3/10/2022, Amended in Committee)

[Public Works Code - Graffiti Abatement - Lifting Suspension of Issuance of Certain Violations; Reinstating Collection of Certain Fees and Fines]

**Ordinance lifting the suspension of certain provisions of the Graffiti Removal and Abatement Ordinance regarding issuance of certain violations, and reinstating the collection of certain assessed fees and fines; requiring notice to certain Community Benefits Districts, Business Improvement Districts, or Green Benefits Districts as those districts are defined in Article 15 and 15A of the Business and Tax Regulation Code; requiring Public Works to report to the Board of Supervisors within 60 days the forms necessary to implement the Graffiti Abatement Ordinance; and affirming the Planning Department's determination under the California Environmental Quality Act**

Existing Law

The Graffiti Removal and Abatement Ordinance, Public Works Code Article 23, establishes a program for Public Works regulation and enforcement of the removal of graffiti on both private and public property. Enforcement involves the issuance of violations and in some cases imposition of fees and fines for the graffiti and/or failure to abate.

Ordinance No. 64-21, suspended Public Works Code Section 2304(a), with the result that Public Works may not issue any violations under Section 2304(a). Ordinance No. 64-21 also suspended Public Works Code Sections 2305 and 2306, but only as those sections apply to graffiti on private property. Ordinance No. 64-21 also waived the collection of certain unpaid fees and fines, as of January 1, 2021, assessed under Public Works Code Sections 2304(a), 2306, and 2307.5(b). In addition, it waived fees and fines under Section 2307.6 to the extent they relate to private property. Ordinance No. 64-21 is effective until the expiration of the Mayor's Emergency Proclamation.

Amendments to Current Law

This ordinance repeals Ordinance No 64-21.

On March 10, 2022, the ordinance was amended to require the Public works sent a copy of any Notice of Violation to Community Benefits Districts, Business Improvement Districts, or Green Benefits Districts in the neighborhood where the NOV is issued. It was also amended to require Public Works to provide to the Board of Supervisors any forms used to implement or enforce the Graffiti Abatement Ordinance within 60 days of the effective date of the ordinance.

n:\legana\as2021\2200170\01588017.docx

FILE NO. 211151