

CITY OF SEATTLE
ORDINANCE 127250
COUNCIL BILL 120995

AN ORDINANCE relating to a new civil cause of action against graffiti taggers for illegal graffiti on public and private property and requiring restitution; adding a new Section 10.07.055 to the Seattle Municipal Code; and amending Section 10.07.010 of the Seattle Municipal Code.

WHEREAS, illegal graffiti on public and private property is a significant public nuisance that costs public and private property owners in Seattle millions of dollars per year to abate; and

WHEREAS, the proliferation of illegal graffiti across Seattle has caused substantial public blight that detracts from the natural beauty and character of Seattle; and

WHEREAS, in 2024, illegal graffiti was reported at 29,946 City-owned properties, including traffic signs, traffic control stations, parking pay stations, libraries, parks, and public utility facilities; and

WHEREAS, in 2024, the City spent approximately \$5.9 million on the abatement of illegal graffiti from public property, after spending approximately \$6.3 million in 2023; and

WHEREAS, in 2024, there were a total of 28,816 reports of illegal graffiti sent to the Find-It, Fix-It app, and other sources; the most significant number of reports of illegal graffiti were in Council District 7 (7,611); followed by 6,463 in Council District 1; 5,210 in Council District 3; 2,769 in Council District 2; 2,721 in Council District 6; 2,625 in Council District 4; and 1,391 in Council District 5; and

WHEREAS, in 2024, 1,845 incidents of illegal graffiti were reported at Port of Seattle, King County Metro, Sound Transit, and Washington State Department of Transportation sites within Seattle; and

WHEREAS, Washington law has long recognized the authority of municipalities to abate public nuisances through civil actions; and

WHEREAS, establishing an appropriate civil cause of action in the Seattle Municipal Code will allow the City Attorney to bring these civil actions in the Seattle Municipal Court; and

WHEREAS, the intent of authorizing these civil actions is to discourage future illegal graffiti and renumerate the City for the substantial costs of abatement; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 10.07.010 of the Seattle Municipal Code, enacted by Ordinance 118082, is amended as follows:

10.07.010 Definitions

* * *

E. “Graffiti tagger” means any person or entity who applies illegal graffiti to public or private property, or who assists another person or entity to do the same.

F. “Graffiti violation” means a single piece of graffiti, including but not limited to a graffiti tagger name or design, in a single location.

~~((F.))~~ G. “Hearing Examiner” means The City of Seattle Hearing Examiner and the office thereof established pursuant to Seattle Municipal Code~~((5.))~~ Chapter 3.02.

~~((F.))~~ H. “Owner” means any entity or entities having a legal or equitable interest in real or personal property, including but not limited to the interest of a tenant or lessee.

~~((G.))~~ I. “Premises open to the public” means all public spaces, including but not limited to streets, alleys, sidewalks, parks, and public open space, as well as private property onto which the public is regularly invited or permitted to enter for any purpose.

1 ~~((H))~~ J. “Property” means any real or personal property and that which is affixed,
2 incidental or appurtenant to real property, including but not limited to any structure, fence, wall,
3 sign, or any separate part thereof, whether permanent or not.

4 ~~((I))~~ K. “Responsible party” means an owner, or an entity or person acting as an agent
5 for an owner by agreement, who has authority over the property or is responsible for the
6 property’s maintenance or management. Irrespective of any arrangement to the contrary with any
7 other party, each owner shall always be a responsible party for the purposes of this ~~((chapter))~~
8 Chapter 10.07. There may be more than one responsible party for a particular property.

9 ~~((J))~~ L. “Unauthorized” means without the consent of a responsible party.

10 Section 2. A new Section 10.07.055 is added to the Seattle Municipal Code as follows:

11 **10.07.055 Civil actions against graffiti taggers**

12 A. In addition to any other civil or criminal penalties or other remedies authorized by law
13 or equity, a graffiti tagger shall be subject to a civil penalty of up to \$1,500 per illegal graffiti
14 violation, and shall further be liable to the City for restitution of costs incurred by the City, or a
15 private property owner, including but not limited to all labor and materials costs of removing the
16 illegal graffiti. This Section 10.07.055 does not prohibit a private property owner from pursuing
17 legal action and seeking restitution from the graffiti tagger.

18 B. The City Attorney may consider whether community service may deter a tagger from
19 reoffending, and if so, the City Attorney may request that a court convert a portion of the
20 monetary penalty to community restitution pursuant to the procedure established in RCW
21 7.80.130(2), and that the community restitution is performed for the purposes of graffiti
22 abatement.

1 C. In cases involving graffiti on private property, it is a complete defense that the graffiti
2 tagger obtained the express permission of the property owner prior to applying the graffiti. The
3 graffiti tagger has the burden of establishing this defense.

4 D. The City Attorney is authorized to enforce this Section 10.07.055 through a civil
5 action commenced in the Seattle Municipal Court within three years of the graffiti violation. This
6 Section 10.07.055 applies to all civil actions commenced after the effective date of this
7 ordinance, including those that are based on graffiti violations that occurred before the effective
8 date of this ordinance. The City has the burden of proving by a preponderance of the evidence
9 that a graffiti violation was committed.

10 E. Monetary penalties and restitution imposed pursuant to this Section 10.07.055 are
11 payable immediately. A court may convert some or all of the monetary penalty to community
12 restitution pursuant to the procedure established in RCW 7.80.130(2), provided that the
13 community restitution is performed for the purposes of graffiti abatement. Any penalties,
14 restitution, and other costs ordered pursuant to this Section 10.07.055 that go unpaid may be
15 referred to a collection agency, or the City Attorney may pursue collection in any other manner
16 allowed by law.

17 F. The City Attorney shall endeavor to request that any judgment reflect restitution due
18 to the City and/or private property owners for abatement costs they have incurred due to an
19 illegal graffiti violation.

20 Section 3. Until December 31, 2035, the City Attorney shall include in the annual reports
21 required under Seattle Municipal Code subsection 3.46.020.B information on civil cases filed
22 against graffiti taggers, to include the number of cases filed, case outcomes, penalties or
23 restitution ordered by a Court, and the number of civil defendants who have been arrested for

1 prior graffiti related property damage or have been the subject of prior graffiti related court
2 orders.

3 Section 4. The provisions of this ordinance are declared to be separate and severable. The
4 invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance,
5 or the invalidity of its application to any person or circumstance, does not affect the validity of
6 the remainder of this ordinance or the validity of its application to other persons or
7 circumstances.

Section 5. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the 15th day of July, 2025,
and signed by me in open session in authentication of its passage this 15th day of
July, 2025.



President _____ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 18th day of July, 2025.



Bruce A. Harrell, Mayor

Filed by me this 18th day of July, 2025.



Scheereen Dedman, City Clerk

(Seal)