NOBLE
Public Safety Committee
July 8, 2025
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Amendment 3 to CB 120995 Graffiti Restitution and Penalty Ordinance

Sponsor: Councilmember Hollingsworth

Eliminate "enourage graffiti" from the new civil cause of action

Effect: This amendment would eliminate "encouraging" the act of applying graffiti from the civil cause of action established by this ordinance. This language was intended to provide recourse against those who are involved in the online promotion of graffiti art. The concern is that the current wording could conflict with the free speech rights guaranteed by the First Amendment, which should not preclude sharing images and information online, even if some find the material objectionable. Retention of the language that refers to "providing assistance" should ensure that anyone actively involved in creating the art, for example, filming an individual while they apply graffiti, could still be subject to the new civil remedies.

Amend Section 1, as follows:

10.07.010 Definitions

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E. "Graffiti tagger" means any person or entity who applies illegal graffiti to public or private property, or who assists ((~~or encourages~~)) another person or entity to do the same.