



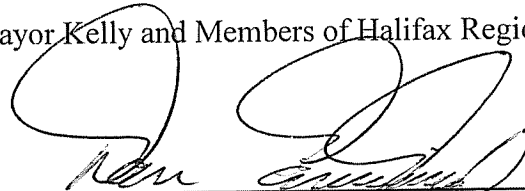
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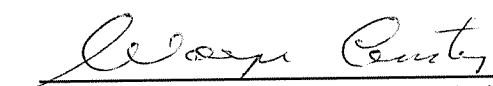
Halifax Regional Council  
July 3, 2007  
Committee of the Whole

**REVISED**

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

  
\_\_\_\_\_  
Dan English, Chief Administrative Officer

  
\_\_\_\_\_  
Wayne Anstey, Deputy Chief Administrative Officer, Operations

DATE: June 14, 2007

SUBJECT: Graffiti Management Plan and Draft Graffiti By-Law

**ORIGIN**

During the November 14, 2005 Board of Police Commissioners meeting, at the request of Councillor Mosher, a presentation on graffiti was made by then Manager of the Community Response Team, Mr. Gary Martin (minutes attached as Appendix A). At that session, the Board requested a report regarding the enhancement of HRM's graffiti strategy, including the possible establishment of a Graffiti By-Law. On August 1, 2006, Council approved the Graffiti Management Plan (Plan).

During the September 12, 2006 Regional Council Meeting (minutes attached as Appendix B), Councillor Linda Mosher requested a staff report on various aspects of the Plan (this was initially deferred from the September 5, 2006 Council Session), including that of developing a draft Graffiti-Bylaw.

**This report had been submitted to Council for the June 12, 2007 Committee of the Whole, however, the item was deferred to the June 26<sup>th</sup> meeting of the Committee of the Whole. All information contained within the June 12<sup>th</sup> report is contained within this report, however, Sections (b) and (c) under DISCUSSION have been updated and highlighted for easy reference (as noted in bold text).**

Recommendations on Page 2

1) **Under DISCUSSION - Section (b) - June 12<sup>th</sup> report - Enhancement Community Initiatives:**

**Community Development (CD) staff have expanded the Community Art Pilot Project to further engage youth (and particularly those at risk) in art and other creative development initiatives to better connect them to their communities and help nurture creative expression among HRM's young citizens. CD staff will be providing Regional Council with a more in-depth report on the program within the next few weeks. Staff will also provide Council with further details on how the success of the Pilot Program has evolved into other initiatives to address both graffiti vandalism and community art priorities under the HRM Cultural Plan.**

- 1.1 **Transportation and Public Works (TPW) has agreed to a budget of \$20,000 for launching a new mural/art program. Community Relations staff agree to design and implement the program and would be responsible for recruiting and managing the artist/youth etc. Mr. Taso Koutroulakis will be the point of contact.**
  - 1.2 **TPW has agreed to purchase kits, paint etc on behalf of Community Relations through the regular procurement process. TPW will also store and manage the distribution of these supplies. Mr. Peter Brown will be the point of contact. Community Relations staff will design a program/business process around distribution of the kits and will cover costs of materials.**
  - 1.3 **TPW staff will assist at large scale events focussed on cleaning graffiti from HRM and private property. Mr. Denis Huck will be the point of contact. Community Relations staff will work directly with TPW staff and coordinate all events.**
- 2) **Under DISCUSSION - Section (c) - June 12<sup>th</sup> report - Elimination of "No Tolerance" Zones Definition - the term 'work' is added in referencing days of notification for removal of graffiti off HRM owned assets (ie three work day removal time).**

**RECOMMENDATIONS**

**It is recommended** that the draft Graffiti By-law, attached as Appendix C, proceed in accordance with Administrative Order 32 Respecting the Procedures for Developing By-Laws.

**It is recommended** that the Graffiti Management Plan be amended by the elimination of reference to the "No Tolerance" Zones definition.

## **BACKGROUND**

During the September 12, 2006 Council Session, a Motion was put on the floor and passed unanimously (Councillors Mosher and Hum) that a staff report be prepared to address:

- (a) Graffiti By-Law - development of a graffiti by-law based on City of Vancouver, taking into consideration making it a crime to sell aerosol containers of spray paint and markers to persons under 18 years of age; how the Vancouver by-law is working; what implications will fines have on parents of youth under 12 and if there are options, and the possibility of a Youth Diversion Program;
- (b) Enhancement Community Initiatives - ie free paint program (to remove graffiti), applications for financial assistance for graffiti removal, community paint outs; development of heritage and mural programs;
- (c) Elimination of "No Tolerance" Zones Definition - for HRM properties such that all reported graffiti is removed with the same service standards;
- (d) Inclusion of Graffiti Removal Standards - in all HRM awarded contracts, including but not limited to, sewage and construction projects for HRM owned properties;
- (e) Police statistics - number of arrests/charges to date and future budgets for surveillance cameras, and
- (f) Outstanding By-Laws - list of current by-laws that have been requested and where they are in the queue.

## **DISCUSSION**

- (a) Graffiti By-Law - A draft Graffiti By-Law for HRM is attached as Appendix A. This by-law has been put forward as an option of what is taking place in other municipalities. It has not received the full scrutiny that most by-laws receive in terms of operational implications. Staff is recommending that the by-law proceed in accordance with Administrative Order 32 Respecting the Procedures for Developing By-Laws and accordingly proceed through the By-Law Rationalization process.

The motion reference the creation of a by-law based on the Vancouver by-law. Vancouver's By-Law was adopted by Council in 1994 with an Anti-Graffiti Management Program put in place in 2002. Since the Program has been implemented, there has been a reduction in graffiti by approximately 85%. The By-law states where graffiti is not permitted; time frames involved for removal; if not removed, the fact that the City will remove the graffiti and bill the property owner (on tax bill) if need be, as well as applicable fines. A 'soft enforcement approach' is used in dealing with private property owners as they are victims of vandalism - this involves providing assistance as far as access to program resources (free paint, murals, advice). Vancouver staff have never had to impose a fine to property owners for not responding to their request to remove graffiti within a specified time span.

On Vancouver's enforcement side, Police (two dedicated members) have a 97% apprehension rate for 911 graffiti calls in progress. Police have the discretion to either issue a By-Law ticket (\$500) or charge for Mischief under the Criminal Code. Approximately half the number of taggers caught in 2005 were directed through Restorative Justice, while the other half received jail time for breaching probationary conditions and taking part in other criminal activities.

The Motion from September 12<sup>th</sup> referenced the introduction of a section within a draft by-law prohibiting the possession of graffiti markers, paints and the sale of implements to person under 18 years of age. After review of these sections with HRM Legal, there are concerns over the ability to include these, based on the Charter of Rights and Freedoms in the "possession" case, and the Municipal Government Act in the "prohibition of sale" case. Due to these two areas of concern, there is an alternative added to this report removing these two sections and suggesting that further action outside of the by-law be initiated to resolve the legal arguments. Changes to the Municipal Government Act can be referred to the Provincial Government. In the case of the "possession of implements" other locations in Canada have begun to request that this be included under the Criminal Code of Canada.

The Mayor has written the Province regarding a Parental Responsibility Act. The Criminal Code does not include those under 12 years of age which would limit the ability to have parents pay for the actions of their children.

A Youth Diversion Program is currently an active part of the Youth Criminal Justice Act and is presently being used.

For those business units contracting out the removal of graffiti, there could be budget implications should the by-law be implemented as drafted, as the contracts may not be able to be changed or altered until the contracts expire.

- (b) **Enhancement Community Initiatives - CD staff have expanded the Community Art Pilot Project to further engage youth (and particularly those at risk) in art and other creative development initiatives to better connect them to their communities and help nurture creative expression among HRM's young citizens. CD staff will be providing Regional Council with a more in-depth report on the program within the next few weeks. Staff will provide Council with further details on how the success of the Pilot program has evolved into other initiatives to address both graffiti vandalism and community art priorities under the HRM Cultural Plan.**

**TPW has agreed to a budget of \$20,000 for launching a new mural/art program. Community Relations staff agree to design and implement the program and would be responsible for recruiting and managing the artist/youth etc. Mr. Taso Koutroulakis will be the point of contact.**

**TPW has agreed to purchase kits, paint etc on behalf of Community Relations through the regular procurement process. TPW will also store and manage the distribution of these supplies. Mr. Peter Brown will be the point of contact. Community Relations staff**

**will design a program/business process around distribution of the kits and will cover costs of materials.**

**TPW staff will assist at large scale events focussed on cleaning graffiti from HRM and private property. Mr. Denis Huck will be the point of contact. Community Relations staff will work directly with TPW staff and coordinate all events.**

- (c) Elimination of "No Tolerance" Zones Definition - Transportation and Public Works staff are confident they can meet the three **work** day removal time (hate/racial will be removed within 24 hours) within the entire urban core. As this is presently mandated within the No Tolerance Zone policy of the Graffiti Management Plan, this Policy can be eliminated. A five **work** day removal time for those areas outside the urban core, will continue to the standard in that area, weather dependent. If existing staff are unable to handle the demand, internal staff will be redeployed or outside sources will be hired to complete the work.
- (d) Inclusion of Graffiti Removal Standards - Design specifications will be created by staff within tender documentation, in order to meet specified design criteria that encourages the use of graffiti resistant materials. Discussions will be held with HRM's design engineers (or those consultants acting on HRM's behalf) to include such in design requirements in HRM's tender/RFP scope of work.
- (e) Police statistics - For both the RCMP and HRP - for the period Sept 15/6 - Jan 15/07, out of 109 reported cases, there have been 21 suspects and 6 accused/charged. The video surveillance piece is underway and will be forwarded with the Pilot Project Report.
- (f) Outstanding By-Laws - There are four by-laws in the queue: N-300 Respecting Nuisances; A-300 Respecting Nuisance Animals; Vacant Buildings, and Graffiti. These by-laws will proceed to Council in accordance with Administrative Order Number 32 Respecting the Procedures for Developing By-Laws. There are no particular by-laws considered to have any priority over the other in this regard.

## **BUDGET IMPLICATIONS**

At present it is anticipated that any potential revenue opportunities would support associated incremental expenses. Additional costs will be absorbed within current operational capacity. Budget implications will be addressed within the 2008/09 budget planning process as the By-Law is implemented.

## **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

**1. Graffiti By-Law:**

Council could amend the attached Draft By-law by removing:

- Sections 2(ii) - 2(vi) (Definitions);
- Section 10 (Supplying to Minors), and
- Section 11 ( Placement of Signage).

Further, Council could direct that the revised draft by-law proceed for First Reading in accordance with Administrative Order Number 32 Respecting the Procedures for Developing By-Laws as it pertains to the draft Graffiti By-Law. Further, that Council request correspondence be directed to the Province to request appropriate changes to the Municipal Government Act to allow the Graffiti By-law to cover the sale of articles. Further, that Council direct a letter to the Federal government requesting consideration of the possession of graffiti implements being included as a section of the Criminal Code.

**2. No Tolerance Zones:** Council could leave the No Tolerance Graffiti Zones Policy (Policy One) within the Graffiti Management Plan, however, this is not recommended.

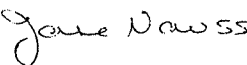
**ATTACHMENTS:**

Appendix A - Minute excerpt from Board of Police Commissioners meeting dated November 14, 2005


Appendix B - Minute excerpt from Regional Council meeting dated September 12, 2006.

Appendix C - Draft Graffiti By-Law.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.



Report Prepared and approved by: Jane Nauss, A/ Manager, Community Response, 490-4070



Report Approved by: Catherine Sanderson, Sr. Manager, Financial Services, 490-1562

APPENDIX A

6. PRESENTATION

6.1 Graffiti

Councillor Mosher introduced Mr. Gary Martin, Manager, Community Response Team, Governance & Strategic Initiatives. She advised that graffiti is a growing problem in HRM that needs to be addressed.

Mr. Martin, assisted by Mr. Peter Myatt, on secondment to the Community Response Team from the Halifax Regional Police, presented a PowerPoint presentation on Graffiti.

Mr. Martin highlighted the following points:

- Graffiti is done by skilled artists who practice for months to perfect their "tag". They start as "toys" (rookies) then progress to "taggers" then "bombers" when they have perfected their craft. HW (Home Wrecker) and CBU (Chemical Bomber Unit) are the two most popular "tags". As the Bomber gets better, the 'tags' become "pieces". There are more than 200 active Bombers in HRM.
- Most graffiti artists are known to frequent the Kyhber Centre on Barrington Street and are not all teenagers. One tagger was 31 years of age.
- \$1 billion per year is spent on graffiti issues in Canada, \$1 million (or more) in HRM alone. One tagger had placed over 1000 tags in HRM at a cost of \$50,000 in property damage.
- The challenge to "taggers" is to see who can put out the most daring, creative, biggest tag. Tags are appearing in dangerous places such as on top of road signs across highways.
- Taggers are encouraged to "stay illegal" which means to target any place that does not give you permission. This was seen on a website frequented by taggers: "*Visual Orgasm*". Bombers (taggers) say they will continue to "tag" and do not care that it is illegal.
- A Professor at NSCAD (Nova Scotia College of Art and Design), who teaches a Masters Program, once gave a presentation on the evolution of graffiti and commented that it should be their God-given right to express themselves. The Dean of NSCAD has said that none of his students would tag but some NSCAD students have been arrested. HRP has visited NSCAD.
- The key to stopping/deterring graffiti is to remove it as quickly as possible as taggers will "tag" an already "tagged" spot. If the graffiti is removed promptly, it is unlikely the tagger will choose that spot again as no one would see his work.
- There is overwhelming support from the business areas to have a By-Law that requires the removal of graffiti within 24 hours.
- Graffiti is one of the main reasons for the rapid social decline of a community as people feel uncomfortable and unsafe in an area with graffiti.

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- Graffiti comes from pop culture and is a sub-culture. There are different types of graffiti: Hip Hop (85% of all graffiti), Gang (5%), Hate Crime (8% and growing at an alarming rate), Latrinalia (1% - public washrooms) and Folk (1% - John loves Jane).
- Some areas have a wall (space) dedicated to taggers and as long as the graffiti is limited to those allocated locations, the taggers are permitted to continue. Nova Scotia Power on Lower Water Street does not discourage taggers from putting graffiti on the walls at that location. There is also a "free" wall at BC Silver school in Spryfield and taggers will have that wall as long as other areas of Spryfield remain clean.
- Taggers do not tag memorials or churches nor will they tag over another artists work. Murals will be coated so that if there is graffiti it can be easily washed off without damaging the mural.
- Surprisingly, a lot of graffiti is not seen unless you are looking for it. A water tower in Timberlea was tagged but was not reported by the community, it was reported by the water commission who happened to notice it.
- Some businesses that sell paint/supplies are giving contractor rates to taggers as they buy in quantity. One business person who sold paint and nozzles was upset that HRM was going after graffiti as it was his livelihood.
- Graffiti is not ART. Graffiti is a CRIME and causes rapid urban decay.

Comments from the Board:

Commissioner Mosher commented that the Community Response Team has been working hard yet HRM is not doing enough to stop graffiti and graffiti is getting out of hand. She explained that there is an element of youth that have no respect and murals are now being tagged as well as Walker's Funeral Home, a water tower in Cowie Hill, every power pole on Glenora Avenue, oil tanks and houses are also being targeted. She added that HRM cannot just continue to clean away the graffiti. She cited Quinpool Road as a success story in regard to controlling graffiti and added that they now have a Quinpool Road Business Commission. She advised that a Graffiti By-Law, similar to Vancouver/Banff's, could have a stipulation that if the graffiti is not removed from a property within ten (10) days, then the municipality would clean away the graffiti and charge the cost to the property owner by adding that cost to their property tax.

Commissioner Smith arrived at 1:22 pm.

Following discussion on the matter by the Board, the following motion was placed:

**MOVED BY Commissioner Mosher, seconded by Commissioner Johns that the Board of Police Commissioners direct staff to prepare a report for the December 12<sup>th</sup> meeting regarding the enhancement of HRM's graffiti strategy to include the possible establishment of a Graffiti By-Law (similar to that used in the cities of**



**Vancouver and Banff) including enhancement initiatives such as: offering free paint to repair property damaged by graffiti, up to \$500 per calendar year offered by HRM toward paint for a heritage property damaged by graffiti, organizing a community “paint-up” or other community initiatives.**

Councillor Mosher strongly recommended that eradicating graffiti become a priority matter for Regional Council.

In regard to the motion, Deputy Chief Burbridge commented as follows:

- Graffiti is a criminal offense. It is known that there are businesses in HRM giving “deals” to the perpetrators and with research those establishments can be placed on a “black list”.
- If the parents of a seventeen (17) year old cannot control their child’s actions in regard to graffiti then how can Council or the taxpayer do anything.
- Charging businesses for not cleaning graffiti in a timely manner would be charging a business that has already suffered property damage and then receives an additional bill on their property tax for the municipality to rectify that damage. Perhaps consideration should be given to placing the cost of that clean-up on the property tax of the parents.
- A By-Law is being suggested when there is already a criminal code that the Provincial Court does not enforce (in regard to graffiti). People must be held accountable for their actions.

Sgt. Tom Jones, RCMP, added that graffiti is a criminal offense but once the matter goes to court it is out of their (HRP/RCMP) hands as the perception is that graffiti is not that heinous a crime. He added that if there is a hate crime attached to a criminal offense (damaged property), police have to pursue the hate crime as opposed to just dealing with the graffiti.

Councillor Smith suggested that graffiti be designated as “unsightly” and dealt with under the Dangerous and Unsightly By-Law and HRM’s own staff. He added that the Provincial legislature has to provide a definition of graffiti as the current Dangerous and Unsightly Act does not have graffiti listed as “unsightly”, therefore, HRM cannot demand that those areas are cleaned.

Councillor Johns commented that HRM has taken a stance on graffiti as it has dedicated a Community Response Team to deal with the issue. He expressed concern that graffiti is an underlying cause leading to other problems and there appears to be “organized” graffiti artists. He suggested that a request be made to the province to place an age restriction on the purchase of (paint) spray cans. There may be undue hardship to volunteer groups as non-profit organizations cannot continue to clean-up the graffiti. He explained that people are tired of the graffiti and residents (in the

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Sackville area) are “hanging out” to find out who is doing the tagging.

Deputy Chief Burbridge responded that he understands the level of frustration. He added if the Board would like HRP to take a harder stance, it would require the dedication of HRP resources (going completely undercover to follow the kids etc.). If twenty-five (25) kids were charged tomorrow with the criminal offense of property damage, the expected result would not occur if the courts do not take the matter seriously. He added that HRP needs to work with the Community Response Team to obtain an intelligence file that would help identify the ring leader. He added that HRP will make a commitment to work with Mr. Martin to gather this intelligence. Mr. Martin confirmed that there will be three members on the Community Response Team and hopefully one Administrative Support person.

Sgt. Jones added that to enforce the seriousness of this crime, education is required and the HRP/RCMP have to get the message to the schools (Junior High level). He further commented that if the communities are not “cleaned” of graffiti, there will be such a rapid decline that it may not be possible to bring the communities back.

Councillor Mosher advised that there are School Liaison Officers (from HRP) at the schools now, and perhaps they could talk to the students about graffiti.

Commissioner Johnson suggested that if the intention is to call for a By-law on graffiti, the debate and development of a strategy should be done at the Board level first, and then put forward as a strong policy to Regional Council.

Councillor Johns suggested that the “unsightly” (Dangerous and Unsightly Act) aspect is a good alternative and should also be given consideration. Mr. Martin explained that paint on a building is at the discretion of the owner and that is why it does not go through the Dangerous and Unsightly process. He further clarified that there is a strategy regarding graffiti that has already been approved by Regional Council.

Councillor Johns requested that the current graffiti strategy accompany the report.

Councillor Smith requested the information be brought back to the Board as he has not seen the proposed By-Law and would not be able to vote for it to go forward to Council without reviewing the information.

**MOTION PUT AND PASSED.**

**7.11 Councillor Mosher - Proposed Graffiti By-Law**

**MOVED by Councillor Mosher, seconded by Councillor Hum, that a staff report be requested on the following:**

- 1. That staff develop a bylaw based on Vancouver's Graffiti By-Law #7343 to be brought directly to Council for approval;**
- 2. Include enhancement community initiatives such as a free paint program (to remove graffiti) applications for financial assistance for graffiti removal, community paint outs, heritage and and mural programs;**
- 3. Eliminate "no Intolerance" zones definition for HRM properties as written in the draft graffiti management plan from August 1, 2006 in order to remove all reported graffiti with the same service standard**
- 4. All HRM awarded contracts, including but not limited to sewage and construction projects adhere to graffiti removal standards for HRM owned properties**
- 5. A staff report outlining arrests, surveillance and future budgets for cameras be brought forward by sept 26, 2006.**
- 6. Also like staff to directly bring forward a report on responsible retailing - making it a crime to sell aerosol containers of spray paint and broad banned indelible markers to persons under 18 years of age.**

Councillor Mosher advised graffiti is an ongoing problem in many districts. She requested the report address whether there have been arrests with regards to graffiti crimes.

Mr. Dan English, Chief Administrative Officer, advised that a Graffiti By-Law is being developed and will be coming forward later in the year.

Councillor Smith requested the report include some examples of how the Vancouver By-Law is working. The Councillor noted there have been other By-Law requests and asked that a list of current By-Laws that have been requested and where they are in the queue be included in the report.

Councillor Kent requested the report address what the implications of fines will have on parents of youth under 12 years of age as well as any options that may be available.

Councillor Sloane requested the report include the possibility of a youth diversion program.

**MOTION PUT AND PASSED UNANIMOUSLY.**

**MOVED by Councillor Mosher, seconded by Councillor Sloane, that Mayor Kelly write Glidden and Colour Your World and ask that they provide free paint to assist with the graffiti clean up. MOTION PUT AND PASSED UNANIMOUSLY.**

**Draft HRM Graffiti Bylaw**  
**Based on the Vancouver Bylaw No. # 7343**  
**Amended: 2007-04-03**

APPENDIX C

**By-law No. G-100**

A By-law to prevent unsightliness of property by prohibiting the placement of graffiti and requiring that property be kept free of graffiti.

The most effective method in combating graffiti is the quick removal of graffiti. Graffiti vandals do not want to return to a location where they are not getting any return for their efforts.

The Council of the Halifax Regional Municipality, in open meeting assembled, enacts as follows:

1. This By-law may be cited as the ***“Graffiti By-law”***
2. In this By-law
  - (i) **“Graffiti”** means any inscription, word, painting, work, figure, marking, symbol, design or other defacement which is written, sprayed, marked, scratched, etched, drawn, engraved, painted or spray painted, liquid paint, ink, chalk, dye, indelible marker or otherwise applied to any external surface of a public or private building, fence, tree, sidewalk, curb, sign, structure, vehicle, equipment, place, and similar thing and location, regardless of its content or nature and regardless of the nature of the material of that structural component of property, without the expressed prior consent of the owner or person in permission thereof, but does not include.
    - i. a sign, public notice of traffic control mark authorized by the traffic authority;
    - ii. a sign or public notice authorized by a municipal by-law or Provincial or Federal legislation;
    - iii. a mural;
    - iv. in the case of private property, inscription, word, painting, work, figure, marking, symbol or design for which the owner of the property has the requested or commissioned by way of verbal or written authorization and which does not contribute to the unsightly nature of the property.

- (ii) **“Graffiti Implement”** means any can of spray paint, broad tipped marker pen, paint pen, glass cutting tool, or glass etching tool or instrument;
  - (iii) **“Broad tipped marker pen”** means a felt-tip marker, or similar implement containing a fluid which is not water soluble with a tip that exceeds one-quarter (1/4) inch in width;
  - (iv) **“Paint pen”** means a tube, marker, or other pen-like instrument with a tip of one quarter (1/4) inch in diameter or less that contains paint or a similar fluid and an internal paint agitator;
  - (v) **“Spray paint”** means any aerosol container that is made or adapted for the purpose of applying paint or other substance;
  - (vi) **“Minor”** means a person who has not attained the age of 18 years.
3. No person shall place graffiti, or cause graffiti to be placed, on any wall, fence or other structure or thing in any street or other public place.
  4. No person shall place graffiti, or cause graffiti to be placed, on any wall, fence, building or other structure located on real property and adjacent to a street or other public place.
  5. No owner or occupant of real property shall permit graffiti to be placed on any wall, fence, building or structure that is located on such real property and adjacent to a street or other public place.
  6. (a) Every owner of real property must remove from that real property any unsightly accumulation of graffiti within 10 days after the By-Law Services or a Peace Officer causes a notice to be served upon the owner requiring such removal.  

DRAFT

(b) Every owner of real property must remove from that real property any unsightly accumulation of graffiti containing vulgar, obscene, racist, or hatred graffiti within 24 hours after the By-law Services or a Peace Officer causes a notice to be served upon the owner requiring such removal.
  7. If an owner defaults in removing any unsightly accumulation of graffiti in compliance with section 6 and the notice referred to therein, the Halifax Regional Municipality, by its workers or others, may enter the real property and effect such removal at the cost of the defaulting owner.
  8. If an owner defaults in paying the Halifax Regional Municipality, within 30 days after receipt of demand for payment from the Halifax Regional Municipality, the cost referred to in section 8, the Halifax Regional Municipality may recover from the owner, in any court of competent jurisdiction, the cost as a debt due to the Halifax Regional Municipality, or direct that the amount of cost, after certification by the Director of Finance, be inserted in the real property tax roll as a charge imposed with respect to the real property in respect of which the Halifax Regional Municipality incurred the cost.

9. Service upon an owner of the notice referred to in section 6 or the demand referred to in section 8 will be sufficient if the Bylaw Services or a Peace Officer mails the notice by prepaid registered post to the address shown on the current year's real property assessment roll for the real property on which the graffiti is located.

10. No person may sell, exchange, give, loan, or in any other manner, furnish or cause to be sold, exchanged, given, loaned, or furnished, any Graffiti Implement to a Minor, unless the Minor is accompanied by their parent or legal guardian. This section shall not apply to the parents or legal guardians, the employer, or the school teacher, of the Minor.

11. Every person who owns or operates a business selling Graffiti Implements shall place a sign in the direct view of persons responsible for accepting customer payment stating:

SELLING SPRAY PAINT, BROAD TIPPED MARKER PENS, PAINT PENS, GLASS CUTTING TOOLS OR GLASS ETCHING TOOLS OR INSTRUMENTS TO PERSONS UNDER 18 YEARS OF AGE WITHOUT PARENT/LEGAL GUARDIAN ACCOMPANIMENT IS AN OFFENCE. VIOLATORS MAY BE FINED UP TO \$2000.

12. Every person who offends against any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of the by-law, or who does any act or thing which violates any of the provisions of this by-law, shall be deemed to be guilty of an infraction of this by-law, and shall be liable to penalties hereby imposed.

13. Any person who contravenes or fails to comply with any other provision of this Bylaw shall be guilty of an offense and liable to a penalty of

- a. not less than five hundred dollars(\$500.00) and not exceeding two thousand dollars (\$2000.00) and in default of payment to imprisonment for a period not exceeding sixty(60) days and
- b. not less than one hundred dollars(\$100.00) and not exceeding two thousand dollars(\$2000.00) and in default of payment to imprisonment for a period not exceeding thirty(30) days for a violation of any other section of this bylaw.

14. This by-law comes into force and takes effect on the date .