

3-04.02 [Regulatory Provisions]

3-04.02-10 [Unlawfully Possessing Graffiti Implement]

- A. No person may possess, with the intent to unlawfully apply Graffiti on any real or personal property of another, any Graffiti Implement.
- B. Unlawfully possessing a Graffiti Implement is a Class A infraction.

3-04.02-20 [Seizure]

In addition to any citation issued, a Graffiti Implement possessed in violation of this chapter may be immediately seized and impounded by the police department. The court, upon disposition of the issued citation, shall determine whether the instrument shall be returned to the defendant or deemed contraband and returned to the City.

3-04.02-30 [Minimum Fine]

Upon conviction for Unlawfully Possessing Graffiti Implement, the Court shall impose a minimum fine of one hundred dollars (\$100).

3-04.02-40 [Community Service]

In lieu of any fine that may be imposed for violation of this chapter, the court may order community service as follows:

- A. Upon conviction for Unlawfully Possessing a Graffiti Implement, the person shall perform at least twenty (20) hours of community service;
- B. The entire period of community service shall be performed under the supervision of a community service provider approved by the Court; and
- C. Reasonable effort shall be made to assign the subject person to a type of community service that is reasonably expected to have the most rehabilitative effect on the person. To the extent that the offense giving rise to the offer of community service constitutes a violation of this chapter, reasonable effort shall be made by the Court to assign the person to community service which constitutes, in significant part, the removal of the Graffiti.

3-04.02-50 [Parental Responsibility]

- A. No parent, guardian, or other person having the legal custody of a minor person under the age of eighteen (18) years may allow or permit the minor to be in violation of this chapter.
- B. Upon a subsequent violation by a minor, the parent, guardian or person having legal custody shall be served with a subpoena to appear before the court with the minor and show cause why this chapter has been violated a second (2nd) time.
- C. Violating parental responsibility under this section is a Class A infraction.

3-04.02-60 [Parental Civil Liability]

In addition to any other remedy provided by law, the parent or parents of an un-emancipated minor child shall be liable for actual damages to person or property in connection with the removal of Graffiti caused by said child in accordance with the provisions of ORS 30.765.