
Policy:	Graffiti Management
Main Contact:	Director of Facilities, Maintenance and Operations
Last Revision:	January 1, 2024

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Policy Statement and Purpose

Graffiti vandalism creates a nuisance that can adversely affect property values, and business opportunities. It also poses a risk to the health, safety and welfare of a community.

Scope

This policy has been established to provide clear direction and requirements regarding the placement of graffiti on property and to require property be kept free of graffiti.

Definitions

“Art Mural” is a mural commissioned or approved prior to its creation by a property owner or occupant, where the primary purpose is to aesthetically enhance the surface it covers and the general surroundings.

“Graffiti” is the etching, painting, or placing of a mark on public or private property.

“Graffiti Art” is markings made or affixed to property that are approved by the property owner or occupant of the property, where the markings aesthetically enhance the surface they cover and the general surroundings, having regard to the community character and standards.

“**Graffiti Vandalism**” is the willful or malicious destruction or defacement of public or private property when graffiti is placed on public or private property without permission.

It is considered vandalism if:

- it was made or affixed without the permission of the owner,
- there are reasonable grounds to believe that it may incite hatred or violence against any person or identifiable group, or
- it contains profane, vulgar, or offensive language.

“**Interior space**” includes a fully enclosed space that may or may not have a roof and which includes the interior of the walls, ceiling, floor and any other partition that defines the interior space, as applicable.

“**Occupant**” the lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property.

“**Owner**” shall mean the registered owner of the property.

“**Property**” includes a building or structure or land or part of a building or structure or land, and includes all vehicles, mobile structures, outbuildings, fences, erections thereon whether heretofore or hereafter erected, and any other things on the property.

“**Tag**” is a stylized signature or logo that is intended to identify an individual or group or any other marking used for a like purpose or effect.

“**Town**” means the Corporation of the Town of Renfrew.

“**Town forces**” shall mean any staff, person, employee or representative of the Corporation of the Town of Renfrew.

Policy Requirements

1.0 Interior Space

This policy does not apply to an interior space.

2.0 Art Mural and/or Graffiti Art

An Art Mural and/or graffiti art are permitted whereby they are approved by the property owner or occupant, and where the primary purpose is to aesthetically enhance the surface it covers and the general surroundings.

Art murals and/or graffiti art are not permitted if:

- they disregard community character and standards,
- they are located within a road right-of-way,
- they are placed in a location that affects traffic site lines,
- they overhang a sidewalk, pathway or trail,
- they are not maintained in a state of good repair,
- there are reasonable grounds to believe that it may incite hatred or violence against any person or identifiable group,
- it will increase the harm to the person or identifiable group to whom it is directed,
- it contains profane, vulgar, or offensive language,
- no substantive changes have occurred from their original approval.

3.0 Graffiti Vandalism Prohibited

- 3.1 No person shall place or cause or permit graffiti vandalism to be placed on any property.
- 3.2 The owner or occupant of property shall maintain the property free of graffiti vandalism.

4.0 Reporting Graffiti Vandalism

- 4.1 Graffiti vandalism shall be reported to the Department of Fire, Emergency and Protective Services.
- 4.2 A Bylaw Enforcement Officer shall be sent to the location to determine:
 - the amount of damage done,
 - if the type of graffiti
 - incites hatred or violence,
 - contains profane, vulgar, or offensive language,
 - etc.
- 4.3 The Bylaw Enforcement Officer shall, upon determining the amount of damage and the type of graffiti:
 - record the location and any other pertinent information,
 - record the graffiti via photograph or video,

- if deemed appropriate due to the content and/or damage, regardless of being on Town of Renfrew property or private property, report the graffiti to the Ontario Provincial Police, and follow-up in accordance with the Ontario Provincial Police recommendations,

and/or

if the graffiti is deemed minor in nature, and is located on Town of Renfrew property, contact the Department of Facilities, Maintenance and Operations, whereby Town forces shall be employed to remove the graffiti,

and/or

if the graffiti is located on private property, provide written notice to the property owner requesting that the graffiti be removed within fourteen (14) days.

5.0 Private Property

- 5.1 If the graffiti is located on private property, the owner(s) and/or occupant shall be notified in writing by Bylaw Enforcement to remove the graffiti within fourteen (14) days in accordance with subsection 4.3.
- 5.2 The notice shall contain the statement that the owner or occupant may, upon receipt of notice under this section, within the time prescribed in the notice to comply, request that the issuance of the notice be reviewed by the Town of Renfrew on the basis that the markings are exempt as art mural or graffiti art.
- 5.3 A request for review under subsection 5.5 shall be in writing to the Fire Chief, Department of Fire, Emergency and Protective Services.
- 5.4 Where an occupant requests that the issuance of the notice be reviewed, the occupant shall file with the Fire Chief, Department of Fire, Emergency and Protective Services, a written declaration that the occupant has the consent of the owner to maintain the markings on the property.
- 5.5 If the matter is not resolved via,
 - the graffiti has not been removed, or
 - the graffiti is not deemed to be Graffiti Art,

then the matter shall be referred to the Fire Chief, Department of Fire, Emergency and Protective Services, whereby the matter shall be managed through the Property Standards By-law.

6.0 Town of Renfrew (public) Property

- 6.1 If the graffiti is located on Town of Renfrew property, the Facilities, Maintenance & Operations Department shall be employed to remove the graffiti.

7.0 Graffiti Removal Methods

Graffiti shall be removed with consideration for the following:

- 7.1 Prior to commencing removal, staff shall have regard for the product (paint or marker), the material (plywood, brick, plastic), and the resources (immediate staff attention).

All efforts shall be made to minimize damage to the immediate and surrounding area.

- 7.2 The following methods shall be considered:

7.2.1 Try wiping graffiti with any common paint thinner (mineral spirits, lacquer thinner, acetone), or try graffiti removal products such as Goof Off or Goo Gone. Sometimes wiping the graffiti with light penetrating oil such as WD-40 or Three-in-One will remove it.

7.2.2 The Town of Renfrew has (2) graffiti remover spray cans. One is a manual spray, while the other is a pressure washer attachment. Town forces shall utilize the sprayers and suitable washing/stripping product to remove the graffiti.

7.2.3 Painting or refinishing the immediate and the surrounding area if required.

7.2.4 Hire a contractor that is able to remove the graffiti if other efforts have not been successful.

Authority

The *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances.

In the opinion of the Council of the Town of Renfrew, graffiti is a public nuisance.

Monitoring

The Director of Facilities, Maintenance & Operations will cause this policy to be periodically reviewed and updated as required.

Contacts

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Change History

Policy Name	Effective Date	Significant Changes	By-law No.
	Jan. 1, 2024	New	08-2024