

7-508 Graffiti

Section 7-508.1 Removal of Graffiti – Graffiti is defined as : Any word, figure or painted design that is marked, etched, scratched, drawn, painted, pasted or otherwise affixed to or any surface, regardless of the nature of material of that structural component, to the extent the same was not authorized in advance by the owner thereof.

Section 7-508.2 Property Owner Responsibility

a) The removal of graffiti shall be the responsibility of the owner of said property.
b) The owner of said property shall be required to remove the graffiti within 14 days of written notice from the Board of Health, or its authorized agent, served upon the owner or the owner's authorized agent. The notice given to the property owner, or its authorized agent, shall be in writing and contain an order to remove the graffiti. The notice to the property owner or authorized agent shall contain the following information:

- 1) The location of property that has been vandalized.
- 2) A clear description of the graffiti
- 3) A statement that the graffiti must be removed within fourteen (14) days after receipt of notice.
- 4) A statement of explaining if graffiti is not removed within the allotted fourteen (14) days, the property will be subject to the removal, cost and penalty provisions of **(Section 7-503.2)**
- 5) Notification of an owner's right to a hearing pursuant to **(Section 7-503.2)**

*Copies of all referenced sections of the By-law shall be attached to said notice.

Section 508.3 – Failure to Remove Graffiti

- a) The property owner or its authorized agent has a right to a hearing before the Board of Health or its authorized agent within seven (7) days after receipt of such notice.
b) If an owner or the owners authorized agent has not requested a hearing within seven (7) days after receiving notice, and fails or refuses to remove graffiti within the given time frame provided in **(Section 7-503.3)**, the property owner will be subject to a fine of **\$150.00**
c) If an owner or the owner's authorized agent has been ordered to remove said graffiti after a hearing and fails to comply with said order within fourteen (14) days, the property owner will be subject to a fine of **\$150.00**

Section 7-508.4 Applicable Laws

Nothing in this by-law shall be construed to limit in any way the Town of Southbridge's authority to order the abatement of a nuisance as set forth in M.G.L. c. 111, §123 (as noted below) or any other general laws.

i. Section 123. Said board shall order the owner or occupant of any private premises, at his own expense, to remove any nuisance, source of filth or cause of sickness found thereon within twenty-four hours, or within such other time as it considers reasonable, after notice; and an owner or occupant shall forfeit not more than one thousand dollars for every day during which he knowingly violates such order.