



Purpose:

The purpose of this policy is to ensure the Township of Zorra is free of illegal graffiti of any kind both for its adverse impact on the environment and streetscape and for its negative impact on many aspects of life within the Township.

Definitions:

"COUNCIL" means the Municipal Council of the Corporation of the Township of Zorra.

"BY-LAW ENFORCEMENT OFFICER(s)" means a person or persons duly empowered by the Council of the Corporation of the Township of Zorra to enforce the various bylaws of the municipality and to carry into effect the provisions of any Act of the Legislature of the Province of Ontario to be enforced by the municipality.

"GRAFFITI" means one or more letters, symbols, depictions, marks, etchings, pictorial representations, messages or slogans, howsoever made, that disfigures or defaces a property, but does not include signs as regulated by the Township's Sign By-Law, a public notice, or traffic control mark authorized by the Township or County. Graffiti shall include:

- Hate graffiti which is motivated by hate, bias or prejudice, based on race, nationality, ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any similar factor. If you are reporting hate graffiti please call 519-485-2490 immediately. Due to their sensitive nature, these requests may not be submitted online.
- Vandalism graffiti which includes writing, painting or etching a symbol or "tag" that may or may not contain letters and is not considered offensive or hate based graffiti.
- Offensive graffiti which is generalized as being obscene or offensive in nature such as but not limited to, swear words or sexual drawings, and is not hate-based.

"INTERIOR SPACE" includes an interior wall, ceiling, floor and any other partition that defines the interior space of a property;

"MURAL" means a decorative artistic mural that is painted directly onto the exterior fabric of a building and that serves as an expression of public art;

"OWNER" means a registered owner of land, or any person in control of land and shall include:

- the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let;
- the lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property;

"PROPERTY" means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures including customer service boxes and courier drop boxes, out-buildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property;

"TOWNSHIP" means the Corporation of the Township of Zorra.



Policy:

This policy will outline measures to be undertaken to prevent/alleviate graffiti vandalism on Township owned property and assets. Graffiti is a concern both for its adverse impact on the environment and streetscape and for its considerable cost in removal.

Graffiti vandals may believe their actions harm no one. But the reality is graffiti sends the message that nobody cares, it attracts other forms of crime and it decreases residents' feelings of safety. Graffiti is also costly, draining tax dollars for cleanup, and results in reduced property values, business growth and tourism.

The incidence of graffiti in the Township of Zorra is minimal however it does exist on public owned assets from time to time. The Township may entertain a legal mural arts program to celebrate youth talent and sub-culture. The Township could commission artists to express their art forms on municipal owned structures or buildings.

The Township Graffiti Policy will be implemented focusing on an effective strategy against graffiti vandalism and to remove it as soon as possible. Removing graffiti quickly will improve the appearance of the property and make it a less likely target in the future as well as deprive the graffitiists of any reward/satisfaction of recognition.

The Director of Recreation and Facilities will administer the Graffiti Policy. The Recreation and Facilities Department will monitor Township parks and facilities for graffiti vandalism. Once identified, Staff to remove or paint over all identified graffiti marks within a 24-hour period when-ever possible. If graffiti occurs on a holiday or a time when staff is not available, it will be removed at the nearest possible date following its identification.

Where appropriate, the Township will pursue enforcement action under the provision to prosecute vandals who are caught applying graffiti to Township owned properties and assets/amenities.

Under the Criminal Code of Canada, the creation of graffiti is considered vandalism. Vandals can be charged with "mischief under or over \$5,000. (Bill 205, Graffiti and Advertising Signs Control Act, 2002).

The Director of Recreation and Facilities and/or delegate, may report incidents of graffiti vandalism to the Ontario Provincial Police (OPP) for investigation. All major incidents of graffiti vandalism shall be reported to the OPP for investigation. A major incident is one which is considered hate graffiti or offensive graffiti.

If it is identified that the graffiti vandals are minors, youth under the age of 18, the Township may:

- Request the OPP attend the residents to speak with the legal guardians to inform them of the offence and require they pay restitution to the Township for the cost of cleanup of the graffiti.
- Request the OPP consider that charges be laid and restitution requested If it is identified that the graffiti vandalism is that of a repeat youth offender.



If it is identified that the graffiti vandals are not minors, over the age of 18, then the Township may:

- Report the incident to the OPP for investigation for major vandalism incidents and request charges be laid and restitution awarded for the cost of cleanup to the Township.

Hate Graffiti shall not be tolerated under any circumstances.

Public Report of Graffiti Vandalism:

Members of the community can report incidences of graffiti on public property to the Township via email to clerk@zorra.ca or to the Director of Recreation and Facilities at 519-485-2490 Ext. 7243.

Incidents reported to either of these contacts will be logged and tracked for completion. Notification back to those that reported the incident will not occur unless requested.

Graffiti Art/Mural

Markings made or affixed to property that are approved by the Township, where the markings aesthetically enhance the surface they cover and the general surroundings, having regard to the community character and standards.

Individuals or Community Groups may apply to the Director of Recreation and Facilities to place specific pieces of graffiti art or specific art murals on public facilities or amenities. If the Director is of the opinion that specific markings on township property are graffiti art or an art mural, the Director may bring the request to Township Council for consideration. Applications available at the Township Office or online at www.zorra.ca.

All approved graffiti art or art murals shall be listed in a municipal database/log.

To maintain their art status, graffiti art and art murals must be maintained in a state of good repair. If it is identified by the Township that such art is no longer in a state of good repair, the township may repair, remove, or paint over the art.

Township parks and amenities play a vital role in the social, economic and physical well-being for Zorra and its residents. Zorra Township offers many services, programs, activities and facilities for residents to live and play in the Zorra community! It is vital to ensure that these parks and amenities are free from offensive graffiti which could be offensive to anyone observing its presence.

Next revision date: (every five years)

2025.

Accessible Formats:

If you require this document to be in an accessible format, please contact the Director of Corporate Services at clerk@zorra.ca or 519-485-2490 ext. 7228.