



Committee of the Whole

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Committee of the Whole
to be held at
City of Penticton, Council Chambers
171 Main Street, Penticton, B.C.

Monday, February 2, 2015
at 2:30 p.m.

1. **Call Committee of the Whole to Order**
2. **Adoption of Agenda**
3. **Presentations:**
 - 3.1 Graffiti Management Strategy and Pilot Project Participation
4. **Media and Public Question Period**
5. **Adjourn to In-Camera**

Adjourn to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.



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Date: February 2nd, 2015
To: Annette Antoniak, City Manager
From: Tina Siebert, Bylaw Services Supervisor

File No: RMS No. 4020

Subject: Graffiti Management Strategy and Pilot Project Participation

Staff Recommendation

THAT the Committee of the Whole support a "graffiti management strategy" in support of a vision for a graffiti free Penticton including:

- an educational campaign outlining the harmful effects of graffiti and the City and partner initiatives for graffiti eradication and enforcement;
- a policy where property owners or tenants must remove graffiti within 7 days once notified by the City of Penticton, Bylaw Services, upon which time enforcement action would occur including fines and / or the removal of the graffiti by the City's contractor at the property owner's expense;
- the City participates in a DPA led 12-month 'pilot project' in the downtown, involving graffiti eradication by a professional removal company; and
- the City's contribution of \$10,000 to the pilot program to ensure any City assets within the Downtown and portions of the Okanagan Waterfront be included in the professional management program

Strategic priority objective

Graffiti is a direct threat to the City's strategic priorities of waterfront enhancement and downtown revitalization as these are areas particularly targeted by graffiti vandals.

Background

A Graffiti presentation was made at Council in the summer of 2014 by Bylaw Services and the Downtown Penticton Association, this report is to follow up at the direction of Council. Subsequently a committee consisting of City staff, the RCMP, and the Downtown Penticton Association worked on developing recommendations to make Penticton a graffiti free community. While the informal committee were the leaders of this project, partnerships are imperative for the success as no one group can manage the entire

program. The partners will continue to be Bylaw Services as well as other City departments (including; Communications, Public Works, Facilities and Parks), the DPA, RCMP and Crime Stoppers.

Graffiti is a common problem in most, if not all, communities in British Columbia. The presence of graffiti has a negative impact on the quality of life for local residents. Though graffiti vandalism is not treated as a person crime and instead a property crime – it is not a victimless crime. Once a property is ‘tagged’, under the Good Neighbor Bylaw, No.2012-5030, “All owners shall not permit graffiti to remain on Real Property for which they are the Owner thereof and shall remove the graffiti therefrom”, or they are subject to a \$100 fine. The cost associated with graffiti removal (to bring the property into compliance with the Bylaw), has been seen as a form of re-victimization.

Further, the presence of vandalism/graffiti can create the impression that an area is not cared for or is unsafe. Graffiti can often take the form of racist, discriminatory or offensive messaging. Local RCMP indicated that vandals tend to tag alone or in small groups at night and are difficult to catch in the act or connect to works afterwards. It is also difficult to link together “tags” to build cases for prosecution. Even when video evidence and/or concrete proof is obtained, the age of the ‘taggers’ (estimated to be between 14 – 24) and hesitancy of Crown Counsel to bring forward cases, make deterring the crime through prosecution problematic.

Incidences of graffiti, and in particular “tagging”, in Penticton, have escalated considerably in recent years. This has not gone unnoticed by the public. Recent community dialogue has featured concerns with the current levels of graffiti in the community. Commenters have expressed a desire for leadership from the City and expressed frustration with the *perceived* lack of direction with regard to graffiti eradication from government agencies, particularly the City. The strategy outlined in this report is aimed at providing that leadership and setting a vision of a ‘graffiti free Penticton’ through strategic investment and proven approaches and partnering with community groups best positioned to deal with this pervasive issue.

Graffiti management strategy

In the creation of the proposed strategy, staff have contacted other municipalities and looked at research for best practices and found approaches that have had success in other communities. Such initiatives include:

- Creation of a graffiti task force
- Youth engagement and education
- Empowering businesses, through the provision of graffiti removal kits
- Enforcement against businesses, ticketing if graffiti is not cleaned in a timely manner (theoretically making the retailers more vigilant in taking measures against graffiti)
- Mural projects
- Camera installations (Privacy issues)
- Keeping a ‘tag’ database to help with prosecution
- Hiring a contractor to monitor and remove graffiti in a timely fashion
- Increasing Crime Stoppers rewards for reporting
- Set up a graffiti hotline

In the research that staff have done, the most successful anti-graffiti programs have employed a “multi-faceted” approach involving several of the above initiatives with the following three focusses:

1. **Eradication:** Removing graffiti as soon as it appears to ensure the feeling of safety in the community and to show that graffiti is not welcome. (Even a small “tag” can produce a great amount of vandalism and damage). Some communities have engaged a professional company to ensure a prompt and timely eradication. and
2. **Education:** Informing businesses on how to prevent graffiti, reaching out to youth about the negative effects of graffiti and providing public awareness on the impact of graffiti in the community; and
3. **Enforcement:** Working with the RCMP to build strong cases to bring to the Crown Counsel, and making sure that property owners are removing graffiti within a reasonable time limit.

Proposal

Graffiti is a problem that affects several different organization and industries. Particularly affected are downtown businesses, industrial areas, school property, municipal infrastructure and the RCMP. This is why these groups representing these various interests need to work together on solutions. In working with various partners, the following strategy, based on the threefold approach outlined above – “eradication, education and enforcement”, is being presented for the Committee’s endorsement:

1. Endorsing an educational campaign to notify residents and businesses of the impacts of vandalism/graffiti, the importance of eradication and graffiti prevention best practices. The campaign will also raise awareness of the policy and explain the rationale for enforcement. The campaign will also be geared towards educating the community on the impact of graffiti as well as promoting the work that the City’s partners in graffiti prevention are doing as well, including, the DPA’s existing online reporting system on their website for anonymous submission of graffiti tag incidents and photos and advertising the Crime Stoppers reward program.
2. Endorsing a policy of enforcement, where property owners or residents are notified of graffiti on their property and given a specified period of time to have the graffiti removed prior to fines being levied and/or having the City’s contractor remove the graffiti at the property owner’s expense. Exemptions to the policy will be made for times when the weather is below 3 degrees Celsius (where it is not possible to remove/paint over the graffiti).
3. Continue to build partnerships. The partners most involved today will need to continue to be involved; they include: City of Penticton (Bylaw Services, Communications, Public Works, Facilities and Parks): DPA; RCMP and Crime Stoppers. As the program grows, other agencies will be engaged such as the Chamber of Commerce, School District No. 67 and Penticton Industrial Development Association (PIDA), who are also all affected by the negative impacts of graffiti
4. Providing professional graffiti management services through a pilot program led by the DPA, in which a professional removal company will monitor, report, and eradicate all graffiti within a predetermined area encompassing the downtown and part of the Okanagan Lake waterfront. This zone was chosen due to the high visibility of vandalism/graffiti. Although the pilot program will commence in Zone 1 (Downtown core), other areas or businesses can join accordingly and the DPA would coordinate and administer the program. The DPA in conjunction with its partners

(including City Staff, RCMP, Crime Stoppers) will prepare a formal report at the end of the pilot project or as early as feasible for submission to Council, so a full assessment of the project can be determined. The report would evaluate the success of efforts to date, and make appropriate recommendations for furthering graffiti management throughout Penticton.

The vision of the strategy is to make Penticton a graffiti free community. The measures listed above are the best way to commence combating a large scale problem.

Financial implication

The strategy outlined above will have little financial impact on the City's 2015 budget. Bylaw Services have budgeted money for staff time to meet with partner groups and work towards policy creation. For the pilot program participation, the City's contribution will come from already budgeted money. Preliminary estimates of a professionally managed graffiti removal program range from are estimated to cost between \$50,000 - \$100,000 depending on the service provider and level of service required.

As a property and building owner in the downtown, the City already budgets money towards graffiti eradication through Facilities, Parks, Public Works and Bylaw budgets. If the Committee were to endorse participation, the City would direct those monies (estimated at \$10,000) towards participation in the pilot project.

Analysis

Graffiti has proven to be a nuisance problem in Penticton, one that threatens the work the City and business community have done to make Penticton a desirable place to live and popular destination. By embracing strategies used in other communities, the city can reverse the current trends. A balanced approach and integrated "graffiti management strategy" is integral to create a path towards a graffiti-free Penticton, and an approach employing Eradication, Education and Enforcement is the way to achieve that goal.

The opportunity to participate in a pilot program is a proactive and forward thinking approach for the City to show efforts against graffiti vandalism.

Staff recommend that the Committee endorse the strategy outlined in this report and that the City participate in the downtown pilot program.

Alternate recommendations

1. THAT the Committee of the Whole recommends maintaining the current level of involvement as status quo.
2. THAT the Committee of the Whole recommends a larger role in the pilot program, including a stronger financial contribution to increase the area covered or to test the program more rapidly. If this is the option that Council chooses, a majority of the project expenses could come from the City (\$30,000+), with the remainder coming from participating DPA member property and business owners. If Council

were to pursue this option, amendments would be required to the 2015 financial plan to invest more in graffiti eradication.

3. THAT Committee of the Whole consider a different time frame for enforcement such as a 3 day or 15 day time limit or incremental enforcement options.
4. THAT Committee of the Whole give direction back to staff that Council sees appropriate.

Respectfully submitted,

Tina Siebert
Bylaw Services Supervisor

Approvals

City Manager 
