

BY-LAW NO. 21-06

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the Corporation of the City of Cambridge to prevent unsightliness of property by prohibiting graffiti on property and requiring that property be kept free of graffiti  
(ANTI-GRAFFITI BY-LAW).

WHEREAS the Municipal Act, S.O. 2001, c.25, Section 9, provides that Section 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs, as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS the Municipal Act, S.O. 2001, c.25, Section 128, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS the opinion of Council of the City of Cambridge is that graffiti is a public nuisance;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE ENACTS AS FOLLOWS:

**DEFINITIONS**

1. In this By-law:
  - a) "City" means the Corporation of the City of Cambridge.
  - b) "Graffiti" means one or more letters, symbols, marks, pictorial representations, messages or slogans howsoever made on any property, but does not include any of the following:
    - i) A sign, public notice, or traffic control mark authorized by the City;
    - ii) A sign authorized pursuant to a permit issued under the City Sign By-law;
    - iii) A sign, public notice, or traffic control mark authorized by Regional, Provincial, or Federal law;
    - iv) Letters, symbols, marks, pictorial representations, messages or slogans howsoever made on any property, authorized by the owner, tenant, or occupant of the property;
  - c) "Property" includes real property and personal property.

**GRAFFITI PROHIBITED**

2.
  - a) No person shall place graffiti, or cause or permit graffiti to be placed on any property.
  - b) The owner, tenant, or occupant of a property shall keep the property free of graffiti.

**APPLICATION TO INTERIOR SPACE**

3. Section 2 does not apply to the following:
  - a) The interior space of any property.

## **OFFENCES**

4. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided in the Provincial Offences Act.

## **FAILURE TO COMPLY; REMOVAL BY CITY; COSTS**

5. In addition to the penalty imposed upon conviction for violation of this by-law and notwithstanding that no prosecution may have been brought for such violation, the City may at the expiration of 14 days after serving a notice on the property owner, tenant, or occupant requiring him and/or her to remove the graffiti:
  - a) Enter upon the property and remove the graffiti from the property.
  - b) Do so at the expense of the owner of the property.
  - c) Recover the costs incurred by the City from the owner of the property by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

## **TITLE**

6. This By-law may be referred to as the "Anti-Graffiti By-law".

## **EFFECTIVE DATE**

7. This by-law comes into force and effect on the date enacted by City Council.

READ A FIRST, SECOND AND THIRD TIME

ENACTED AND PASSED, THIS 6TH DAY OF FEBRUARY, A.D. 2006.

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"Doug Craig"

MAYOR

\_\_\_\_\_  
"David Calder"

CLERK