



COUNCIL POLICY

Graffiti and Bill Poster Management Policy

Approved by: Council on 28 May 2001 [City Strategy Committee]

Document Owner:

Position: *Manager, Park Lands and Sustainability.*

Phone: 8203 7203

ACC2003/1144

1 INTRODUCTION

Graffiti and uncontrolled bill posters in the City are undesirable as it leads to visual degradation of the built environment with attendant poor perceptions of personal safety and declining property values.

2 POLICY OBJECTIVE

To enhance the City's environment by controlling and minimising the impact of graffiti and bill posters.

3 POLICY STATEMENT

The City of Adelaide seeks to minimise the incidence of graffiti and posters on both public and private property by prompt removal, providing legitimate avenues of expression and being proactive in prevention in recognition of the importance of graffiti and illegal bill posters in forming perceptions of the City.

4 LEGISLATIVE AND CORPORATE REQUIREMENTS

There are two options for taking legal action against people responsible for graffiti or unauthorised bill posters.

- Summary Offences Act - It is an offence to post bills or graffiti on property without authorisation. For bill posters both the person distributing the bills and the person who authorised the distribution are guilty of an offence. It is an offence to carry a graffiti implement in a public place or while trespassing without lawful excuse.
- Civil proceedings – where the offence is committed on Corporation property the Council can take civil proceedings directly against the culprit for damage to the Corporation's property and seek costs.

This Policy is to be implemented in conjunction with other relevant Corporate Policies and Strategies including the:

- Corporate Plan
- City of Adelaide Plan
- Public Art Policy
- Youth Policy
- Park Lands Management Strategy



OPERATING GUIDELINES

Graffiti and Bill Poster Management Policy

Approved by: Council on 28 May 2001 [City Strategy Committee]

Document Owner:

Position: Manager, Park Lands and Sustainability

Phone: 8203 7203

CONTENTS LIST

1. INTRODUCTION
 - 1.1 Scope
 - 1.2 Definitions
 - 1.3 Legislative and Corporate requirement

2. POLICY IMPLEMENTATION STRATEGY
 - 2.1 Key Elements
 - 2.2 Implementation Program
 - 2.3 Training
 - 2.4 Communication Plan

3. POLICY GUIDELINES
 - 3.1 General
 - 3.2 Aerosol Art
 - 3.3 Bill Posters
 - 3.4 Political Statements
 - 3.5 Council Property
 - 3.6 Private Property
 - 3.7 Community Education/Awareness
 - 3.8 Enforcement

4. ROLES AND RESPONSIBILITIES
 - 4.1 Policy
 - 4.2 Asset Management
 - 4.3 Cleansing

5. PROCESS AND REVIEW

6. MONITORING AND PERFORMANCE
 - 6.1 General
 - 6.2 Enforcement
 - 6.3 Cleansing
 - 6.4 Asset Management

Appendix 1 – Graffiti and Bill Poster - Management Process
Appendix 2 – Graffiti and Bill Poster – Implementation Program
Appendix 3 – Graffiti and Bill Poster – Training
Appendix 4 – Graffiti and Bill Poster – Communication Plan

1 INTRODUCTION

Graffiti and uncontrolled bill posters in the City are undesirable as it leads to visual degradation of the built environment with attendant poor perceptions of personal safety and declining property values.

All graffiti is illegal and as such various avenues are available for taking legal action if the culprits can be apprehended.

The graffiti culture consists of an orchestrated effort by a core group of people, as well as spontaneous acts that are motivated by the desire to vandalise property.

Graffiti and vandalism are related and the act should be referred to as "graffiti vandalism".

The "graffiti artist" is not recognised under this policy as traditional artists seek permission from property owners before they start work on a project.

Generally community members do not view "tags" or "scribbles" as art and require this type of behaviour to be minimised.

There are generally three main streams of graffiti that derive from different sources:

- **Tags** – applied by individuals as simple icons or logos that are specific to the individual and are quick and easy to apply.
- **Aerosol art** – is the result of one individual working on specific surface over a period of time to create a significant "piece". Although sometimes referred to as graffiti art it is never-the-less authorised by the building owner.
- **Political statements** – are generally associated with a significant political event such as an election or some crisis with the government. This type of graffiti is often extremely offensive to particular segments of the community or regarding individuals.

Bill posters on the other hand are more akin to corporate vandalism as they are usually promotional material advertising events which are organised by private entrepreneurs and businesses. The uncontrolled and unauthorised posting of this material on private and public property alike is a blatant attempt to obtain as much public exposure as possible at minimal cost.

Both graffiti and bill posters occur throughout the City on any reasonably permanent building or structure:

- Buildings and elements of infra-structure owned and maintained by the Council
- Private buildings on land leased from the Council
- Private buildings on private property.

The main steps in combating these are:

- Providing for the legal display of aerosol art and advertising bills in the city.
- Prompt removal of all illegal displays.
- Designing areas and buildings to discourage graffiti/vandalism.
- Taking legal action against offenders.

Through the policy the Corporation will meet its obligations in terms of both statutory responsibilities, corporate values and strategic priorities in managing graffiti and bill posters in the City.

1.1 Scope

The Guidelines cater for the provision and operation of graffiti and bill poster management in the City to resolve conflicting requirements and issues of public safety.

1.2 Definitions

Graffiti – is the illegal application of writing or drawings to property without the owners permission.

Tags – are individual marks in the nature of a signature or identification logo.

Aerosol Art – is a large piece of work undertaken by one person requiring considerable skill in design, use of colour and materials.

Bill Posters – are bills advertising particular events or causes

1.3 Legislative and Corporate Requirements

There are two options for taking legal action against people responsible for graffiti or unauthorised bill posters.

- Summary Offences Act - It is an offence to post bills or graffiti on property without authorisation. For bill posters both the person distributing the bills and the person who authorised the distribution are guilty of an offence. It is an offence to carry a graffiti implement in a public place or while trespassing without lawful excuse.
- Civil proceedings – where the offence is committed on Corporation property the Council can take civil proceedings directly against the culprit for damage to the Corporation's property and seek costs.

This Policy is to be implemented in conjunction with other relevant Corporate Policies and Strategies including the:

- Corporate Plan
- City of Adelaide Plan
- Public Art Policy
- Youth Policy
- Park Lands Management Strategy

2 POLICY IMPLEMENTATION STRATEGY

2.1 Key Elements

The approach for implementing the policy is based on

- Prompt removal of graffiti and posters from both public and private property.
- Proactive programs to enable legitimate expression to occur.

- Prevention strategies that alter the design of the built environment to discourage the application of graffiti and posters at particular sites.
- Progressively targeting areas of the City to remove old graffiti.
- Keeping documentary evidence for taking action against offenders when they are apprehended.
- Prosecuting offenders to obtain the maximum penalty possible.

2.2 Implementation Program

The Policy will be implemented using these Guidelines according to the Program detailed in Appendix 2. Key elements of the strategy are:

- Promoting the assistance that Council can offer to property owners for graffiti removal including the Hotline.
- Developing poster bollards for the display of community/event information.
- Targetting “hotspots” in the City for the removal of old graffiti.
- Developing a common database in the Corporation for recording instances of graffiti and bill poster to enhance the likelihood of successful legal action.

2.3 Training

All relevant officers will be made aware of the policy and those concerned with its implementation will receive focused instruction regarding the Implementation Guidelines as they apply to them. (Appendix 3)

2.4 Communication Plan

It is recognised that an inappropriate media strategy could present a challenge to potential offenders and be counter productive. Accordingly, a strategy will be developed that focuses on the positive assistance that council can offer ratepayers, the inclusion of aerosol art in the Public Art Policy and the development of Poster Bollards for community posters. (Appendix 4).

3 POLICY GUIDELINES

3.1 General

- 3.1.1 The Corporation will seek the rapid removal of all graffiti and bill posters within 24 hours of being reported.
- 3.1.2 All instances of graffiti and bill posters will be recorded and reported followed-up with the police as appropriate.
- 3.1.3 A telephone “hotline” will be provided for any person wishing to report graffiti or seeking advice on removing graffiti.
- 3.1.4 Where graffiti is applied to a painted surface rapid removal can be achieved by painting over the graffiti. Where graffiti is applied to stone or a similar high quality surface a specialist contractor must be engaged to remove the graffiti without damaging the surface.

3.2 Aerosol Art

- 3.2.1 Aerosol art will be used to allow legitimate artistic expression (endorsed by the building owner) through this medium and discourage the application of graffiti. Council will facilitate such works of art through its Public Art Policy.

3.3 Bill Posters

- 3.3.1 Where bill posters can be traced to a particular venue or organisation standing to benefit from the promotion legal action will be taken for the removal of the bill posters against the venue or organisation.
- 3.3.2 Poster bollards of an appropriate urban design quality will be used in highly public locations for the display of approved posters.
- 3.3.3 Poster bollards will be used for advertising community information and posters promoting products or that area offensive will not be permitted.
- 3.3.4 All posters on bollards will be removed once a month and any offensive posters will be removed promptly.

3.4 Political Statements

- 3.4.1 Grossly offensive statements will be treated as a matter of urgency and will be removed as soon as possible within 24 hours. The property owner's permission need not be obtained.
- 3.4.2 Election posters must be in accordance with "Control of Election Signs" adopted by Council on 27 March 2000 in accordance with Section 221(2)(d) of the Local Government Act.

3.5 Council Property

- 3.5.1 Graffiti and bill posters on Council property will be removed within 24 hours except for weekends and public holidays.

3.6 Private property

- 3.6.1 The maintenance of private property is the building owner's responsibility and Council will not automatically remove graffiti and bill posters from private property. The co-operation of property owners will be sought in providing a graffiti free environment for the City.
- 3.6.2 Where it is desired to remove graffiti and bill posters from private property the permission of the building owner must be sought particularly where the Corporation will either contribute to the cost or seek to recover costs. This should be in writing to avoid any confusion later regarding property damage.

3.6.3 The owners of private property will be contacted within 24 hours of graffiti and bill posters (on their property) being reported to the Corporation and encouraged to remove the material from their property.

3.6.4 Property owners will be encouraged to remove graffiti and bill posters within 48 hours of being reported to them.

3.6.5 Council may intervene to remove graffiti and bill posters from private property where:

- The graffiti and/or bill posters are grossly offensive and removal is necessary to prevent public concern and anger.
- It is clear that the Property owner does not have the resources to remove the material.
- There is a concerted program for improving the amenity of an area by removing graffiti and bill posters.

3.7 Community Education/Awareness

3.7.1 The services that Council provides for the management of graffiti and bill posters will be promoted to ratepayers.

3.8 Enforcement

3.8.1 As instances of graffiti and bill posters are reported they need to be prioritised according to:

- Whether it contains any grossly offensive statements.(CONTENT)
- The severity of the attack.(EXTENT)
- The instances of graffiti in the same area. (FREQUENCY)
- The public sensitivity of the building or structure attacked. (IMAGE)

3.8.2 All reported instances of graffiti and bill posters will record the information in 3.8.1 as well as the following information– date, time, address, extent of area, material used for the graffiti (paint, text etc.).

3.8.3 All reported instances of bill posters will record the message on the poster including any specific reference to a venue or organisation that has produced, displayed or stands to benefit from the promotion.

3.8.4 Contact must be maintained with the Transit Police, SA Police and other council's to identify common offenders.

3.8.5 When a person is apprehended applying graffiti a check will be made with the Transit Police and other council's to ascertain if joint action is appropriate.

3.8.6 Where a person is apprehended in the act of applying graffiti or bill posters legal action will be taken promptly and the Police notified.

3.8.7 Where there is a reasonable likelihood that costs will be recovered from an individual within a reasonable time then Civil action will be taken in the Court for wilful damage to property.

3.8.8 If it is unlikely that costs will be recovered then action will be taken under the Summary Offences Act and a Community Service Order sought.

4. ROLES AND RESPONSIBILITIES

4.1 Policy

The Park Lands and Sustainability Business Unit is charged with the coordination of Corporation activity in relation to policy development regarding graffiti and bill poster management for which the Corporation has a responsibility. The Department will also:

- promote Council's new Graffiti and Bill Poster Policy
- promote community participation in removing graffiti

4.2 Enforcement

The Manager Regulatory Services in the Department of Organisational Development is responsible for:

- Detecting and recording graffiti and bill posters on private property.
- Liaising with the owners of private property for the removal of graffiti and bill posters.
- Co-ordinating and maintaining records (from Cleansing and Property) of instances of graffiti and bill posters to gather sufficient evidence for possible legal action.
- Liaising with the Transit Police, SA Police and other councils for joint action against apprehended offenders.
- Taking legal action against apprehended culprits.
- Promote the services that Council provides for assisting in the removal of graffiti and bill posters i.e. the Hotline.
- Co-ordinating all action taken to target "hot spots" in the City.

4.3 Cleansing

The Cleansing Section in the Department of Cleansing Workshop and Plant is responsible for the daily maintenance of the City streets and public places to meet acceptable standards of cleanliness and removal of graffiti and bill posters.

4.4 Asset Manager (Property)

The Asset Manager (property) is responsible for ensuring the prompt removal of graffiti and bill posters from Corporation properties.

5. PROCESS AND REVIEW

The Corporation Graffiti and Bill Poster Management Policy is supported by a set of Implementation Guidelines.

The removal of graffiti and bill posters will be according to the Graffiti and Bill Poster Process in Appendix 1.

The Policy and Guidelines will be reviewed on an annual basis.

6. MONITORING AND PERFORMANCE

6.1 General

For the purposes of monitoring the implementation of these Guidelines the following performance measures will be used. The responsible Departments must keep adequate records to be able to supply the necessary performance measures.

6.2 Enforcement

- The percentage of successful legal action that has been taken against apprehended offenders.
- The number of building owners who are co-operating in the removal of graffiti from private property.
- The number of reported incidences of graffiti and bill posters on private property and the average time taken for removal.

6.3 Cleansing

- The amount of graffiti and posters that are left on public street furniture longer than 24 hours after being reported.
- The number of reported incidences of graffiti and bill posters on public street furniture.

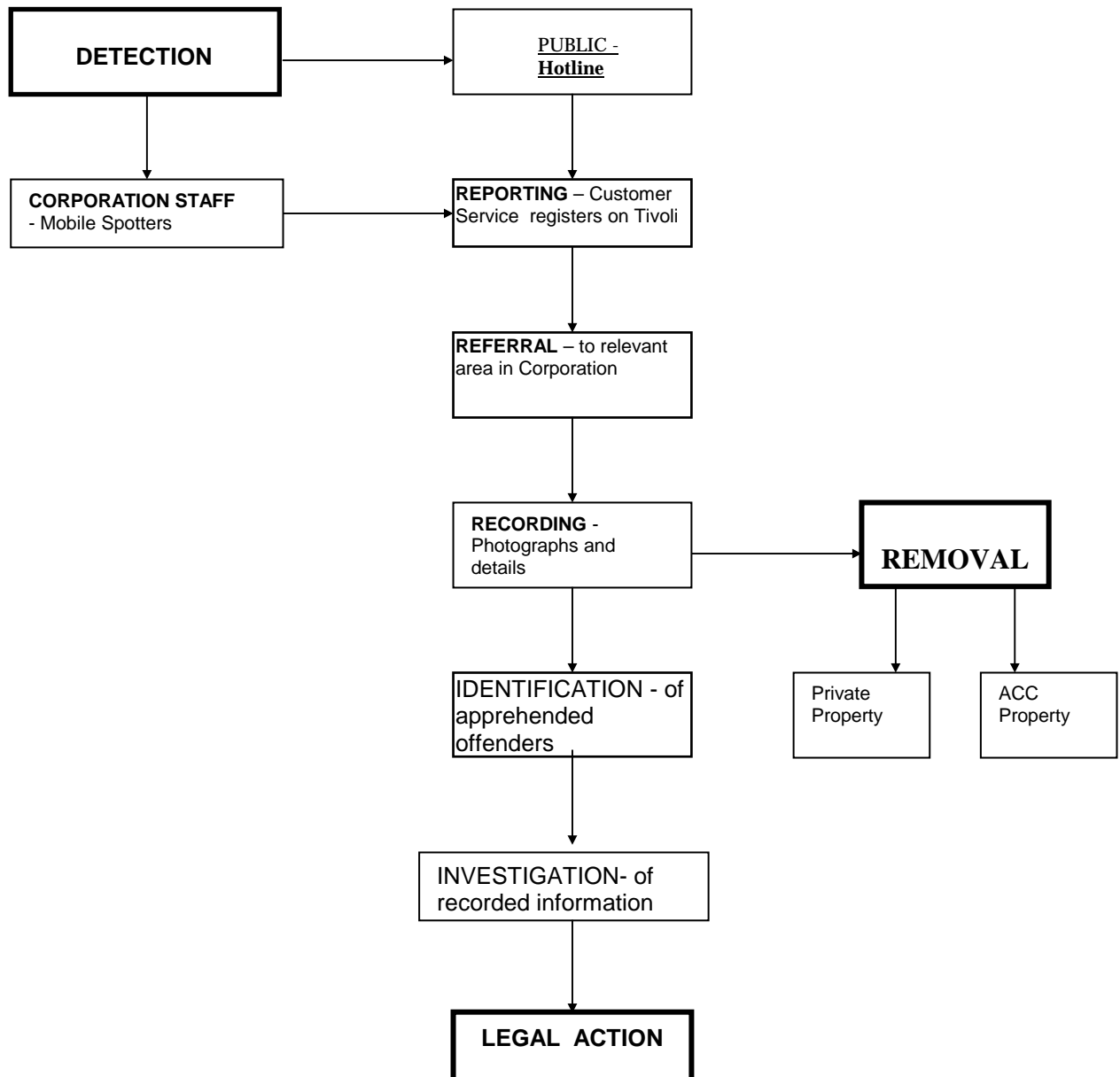
6.4 Asset Management

- The amount of graffiti and posters that are left on Corporation property longer than 24 hours after being reported.
- The number of reported incidences of graffiti and bill posters on public street furniture.

APPENDIX 1

Graffiti and Bill Poster Removal Process - Procedures

Implementation of this Policy uses the preceding Policies and Guidelines for graffiti and bill poster removal in the City. The process to be followed is shown in the following diagram.



APPENDIX 2**GRAFFITI & BILL POSTER POLICY - IMPLEMENTATION PROGRAM****TIMETABLE**

	Action	June – Aug.	Sept. – Nov.	Dec.- Feb. 2002	Mar.- June	July – Sept.
GRAFFITI	Raising internal awareness of Policy. Manager S. & E. P.					
	Promoting Council's Hotline and assistance to property owners. Manager, Reg. Serv.					
	Target areas of the City to remove old graffiti and hot spots. Manager, Reg. Serv.					
	Development of a Corporate database for recording details of instances of graffiti. Manager, Reg. Serv.					
	Training of compliance officers Manager, Reg. Serv.					
	Commence taking legal action against apprehended offenders. Manager, Reg. Serv.					
BILL POSTERS	Raising internal awareness of Policy Manager S. & E. P.					
	Develop design for poster bollards. Manager S. & E. P. with Urban Design					
	Research potential locations and consult stakeholders Manager S. & E. P.					
	Council approval. Manager S. & E. P.					
	Bollard cleansing regime organised Manager Cleansing.					
	Poster Bollard installation City Projects					

APPENDIX 3**GRAFFITI & BILL POSTER POLICY - TRAINING PROGRAM**

DATES	ACTION	RESPONSIBILITY
May 1&2 Weeks	Relevant Departmental and Section meetings to be given an overview of the new policy and how it will effect the staff in that unit.	Manager Strategic & Environmental Planning
June	Any changes to processes will be finalised to make sure they implement the policy.	Manager Regulatory Services and Manager Cleansing
June	<ol style="list-style-type: none"> 1. Compliance Officers will be progressively trained in enforcement procedures using the training program that has been developed. 2. Specialist training dependent on availability of training provider. 	Manager Regulatory Services
August	Compliance Officers to pursue the taking of legal action against offenders when they are apprehended.	Manager Regulatory Services

APPENDIX 4**GRAFFITI & BILL POSTER POLICY - COMMUNICATION PLAN**

DATES	ACTION	RESPONSIBILITY
MAY 29 Tuesday	Media Release regarding Council's adoption of Policy and what it will mean.	Corporate Communications
End JUNE / early JULY	Use City Life page in the Messenger to promote Council's Hotline and assistance that is available. Further distribution of Hotline poster. <i>Operating Budget Reg. Services \$3,000</i>	Manager Regulatory Services
End JUNE	Targetted letter drop of building owners in graffiti hot spots (advising of Council desire to clean up the area and requesting their co-operation) <i>Operating Budget Reg. Services \$500</i>	Manager Regulatory Services
March – June 2002	Targetted letter drop to all venues and organisations using posters to advise them of the forthcoming installation of the poster bollards and the conditions of use. <i>Operating Budget Reg. Services \$500</i>	Manager Regulatory Services
ONGOING	ACTION	
GENERAL ANTI – GRAFFITI PROMOTION – <i>Metro area</i>	Support for KESAB graffiti campaigns. <i>Operating Budget Environment</i>	Principal Environment Officer

