

City of Philadelphia



(Bill No. 040398)

AN ORDINANCE

Amending Section PM-311.0 of The Philadelphia Code, entitled “Graffiti,” by changing the required time period for the removal of graffiti from private property, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section PM-311.0 of The Philadelphia Code is hereby amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE.

* * *

CHAPTER 4-200.0. TEXT OF SUBCODES.

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SUBCODE “PM” (THE PHILADELPHIA PROPERTY MAINTENANCE CODE).

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CHAPTER 3. GENERAL PROPERTY AND STRUCTURAL MAINTENANCE.

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SECTION PM-311.0. GRAFFITI.

PM-311.1 Required Graffiti Removal: The owner of any private property in the City shall remove any graffiti from such property within [twelve (12)] *five (5)* days of the graffiti’s appearance, if such graffiti are visible from the public right-of-way.

* * *

PM-311.2 Penalties and Enforcement: The enforcement of Section PM-311.0 and penalties for violation thereof are as set forth in Sections PM-311.2.1 through 311.2.4.

City of Philadelphia

BILL NO. 040398 continued

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PM-311.2.1 Notice: Upon discovery of graffiti on any private property in the City, any person authorized to enforce ordinances is authorized to issue a notice to the owner of such property, or to a responsible agent of such owner, that the graffiti must be removed within [twelve (12)] *five (5)* days. After [twelve (12)] *five (5)* days have elapsed from the issuance of such notice, any person authorized to enforce ordinances is authorized to issue a notice of violation to any person in violation of this Section, or to a responsible agent of such person, pursuant to the procedures set forth in Section 10-718 of The Philadelphia Code.

* * *

PM-311.2.3 Abatement: If a property owner fails to remove graffiti within [eight (8)] *five (5)* days after a notice of violation has been issued pursuant to subsection PM-311.2.1, the Department is authorized to proceed to remove the graffiti, itself or by contract, and the property owner shall be responsible for the costs of removal, including all related administrative costs. Notice of that fact shall be provided to the property owner at the same time and in the same manner as the notice of violation is issued pursuant to subsection PM-311.2.1. A bill for such costs of removal shall be delivered to the property owner, proprietor or other responsible agent, and the Department is authorized to file a lien against the property in the amount of such costs. Liability for costs or removal under this subsection PM-311.2.3 shall be in addition to liability for any fine imposed under subsection PM-311.2.2.

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SECTION 2. This Ordinance shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

City of Philadelphia

BILL NO. 040398 continued

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BILL NO. 040398 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 3, 2004. The Bill was Signed by the Mayor on June 21, 2004.



Patricia Rafferty
Chief Clerk of the City Council