

04/28/2008

ORDINANCE NO. 47-895

AN ORDINANCE AMENDING SECTION 5.37.060 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO GRAFFITI AND REPEALING THE ORIGINALS OF SAID SECTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Section 5.37.060 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Notice--Form. Whenever any city employee authorized to enforce this chapter finds graffiti on any property within the city which can be seen by any person using any public right-of-way, such authorized employee shall cause a notice to remove graffiti to be served upon the owner, as shown in the current files of the real estate division of the county clerk's office.

The notice shall state the following:

1. The property owner has seven days from the date of the notice to remove the graffiti.
2. If the graffiti is not removed from the property within the seven-day period, the City will remove the graffiti.

3. Any costs associated with removing the graffiti will be the personal obligation of the property owner and a lien will be placed on the property for all costs associated with the clean-up.

4. If the owner fails to obtain a certificate of compliance, any additional expenses incurred by the City will be assessed against the property owner.

5. The property owner has the right to appeal the graffiti notice to the Superintendent of Central Inspection.

6. An appeal may be taken by filing a written Notice of Appeal with the Office of Central Inspection. The Notice of Appeal must be filed within five days from the date of the graffiti notice.

7. Failure to appeal will waive any objection to the City's proposed action and authorize the City to remove the graffiti from the owner's property."

SECTION 2. The original of Section 5.37.060 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 3. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 20th day of May,
2008.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf
Director of Law