



**REPORT OF THE MAYOR'S
TASK FORCE ON GRAFFITI**

2007 January

**HELP KEEP BURNABY BEAUTIFUL:
ONE TAG AT A TIME**

AN ANTI-GRAFFITI STRATEGY

**CITY OF BURNABY
REPORT OF THE MAYOR’S TASK FORCE ON GRAFFITI**

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EXECUTIVE SUMMARY

The City of Burnaby Mayor's Task Force on Graffiti was established in spring 2006 with a mandate to develop a strategy to combat graffiti in Burnaby. The strategy presented in this report is the culmination of six months of work by the Task Force.

The *Report of the Mayor's Task Force on Graffiti* provides an overview of the graffiti problem in Burnaby, and presents a strategy founded on the vision of a graffiti-free Burnaby. A number of goals, objectives and actions are articulated for pursuit of that vision. The strategy is based on four inter-related and intersecting elements – graffiti eradication, public education on graffiti, graffiti prevention, and identification and deterrence of graffiti vandals. Although many stakeholders will need to be consulted with and/or involved in the implementation and ongoing monitoring of the strategy, it is assumed that the City of Burnaby will take the lead role and facilitate collaborative work on the actions.

The twenty-three actions in the strategy can be summarized as follows:

Actions Pertaining to Graffiti Eradication:

- adoption and enforcement of a Graffiti Bylaw
- retention of an Anti-Graffiti Co-ordinator
- assistance for graffiti victims
- implementation of graffiti removal agreements with corporations and businesses
- support for community clean-ups
- prompt removal of graffiti on City property
- improvements to graffiti reporting mechanisms

Actions Pertaining to Public Education:

- launch of the Anti-Graffiti Strategy in spring 2007
- delivery of a public awareness campaign targeted to the general public, individual businesses, and business associations about the Graffiti Bylaw, and graffiti prevention and eradication
- education and awareness-raising about graffiti prevention and removal with corporations and utilities
- sponsorship of a consultation process on graffiti with students, other youth, and former taggers
- development and delivery of a preventive educational campaign targeted at taggers and other youth

Actions Pertaining to Graffiti Prevention:

- encouragement to private property owners to protect their property
- liaison with retailers of paint and other graffiti media regarding product placement in order to reduce theft by graffiti vandals
- enhancement of the City's mural initiatives

- collaboration with Canada Post and Telus on installation of graffiti resistant mailboxes and service access cabinets (SACs)
- implementation of measures to reduce opportunities for graffiti on City property

Actions Pertaining to Identification and Deterrence of Graffiti Vandals:

- support for “problem-oriented” policing projects focussing on graffiti vandals
- support for the creation of a graffiti image database in Burnaby and in the region
- support for alternatives to court for graffiti vandals.

INTRODUCTION

About the Task Force

The anti-graffiti strategy contained within this report is the culmination of six months of work by the City of Burnaby's Mayor's Task Force on Graffiti. The Task Force was established by Burnaby City Council in spring 2006 to develop a strategy to combat graffiti in Burnaby. The Task Force was chaired by Councillor Colleen Jordan. It consisted of fourteen members drawn from business associations, neighbourhood associations, non-profit service agencies, the Burnaby School District, the Burnaby Parks, Recreation and Culture Commission, Community Policing Advisory Committees, and the City of Burnaby. The Task Force membership list is *attached* as *Appendix 1*, and its Terms of Reference are *attached* as *Appendix 2*.

To educate itself and assist in developing its recommendations, the Task Force hosted six presentations on various aspects of the graffiti issue. Task Force members also reviewed a wide range of information from other jurisdictions on the prevention and eradication of graffiti, a pictorial inventory of graffiti images in Burnaby, correspondence from community members concerned about graffiti, and approaches to identifying and apprehending graffiti vandals. Some members of the Task Force also attended a two day anti-graffiti symposium hosted by the Vancouver Police Department's Anti-Graffiti Unit.

Definitions

Graffiti

Graffiti can be defined as one or more letters, symbols, marks, designs, or drawings, however made, on any structure, place or thing without the consent of the property owner. Common media used in graffiti include paint, spray paint, felt pens, acid, lava rock, sand paper, pumice stone, and exacto knives.

Some graffiti vandals demonstrate artistic ability, and eventually cease their graffiti activities to engage in more productive and legal artistic pursuits. However, graffiti is NOT art; it is the wilful defacement of another person's property, and it is a crime. The Criminal Code of Canada identifies graffiti as a type of vandalism called mischief, and levies a penalty of six months or a fine.

Tag

A tag (noun) is generally a three to seven letter personal identifier adopted by a graffiti vandal and placed on another person's or organization's property.

To tag (verb) means to engage in producing graffiti.

Tagger

A tagger is one who leaves his/her tag in the community – in other words, a graffiti vandal.

Rationale for a Graffiti Strategy in Burnaby

Graffiti is a common problem in most, if not all, communities in the Lower Mainland of British Columbia. The incidence of graffiti has escalated considerably in recent years, and continues to increase.

Graffiti is not a victimless crime. Property owners incur expenses for the removal of graffiti from their property, often in a cycle of repeated tagging and removal. Over time, the repeated application and removal of graffiti can damage a surface or building.

The presence of graffiti can also seriously affect the quality of life for local residents. Left alone, graffiti can create an impression that a neighbourhood is uncared for and unsafe – which in turn can discourage legitimate users from the area and invite other types of vandalism and crime. As well, graffiti can be personally damaging if it conveys hatred or discrimination, and offensive graffiti can detract from the enjoyment of streets and other public areas by all citizens. If graffiti obliterates messages on traffic signs or other types of public advisory vehicles, public safety could be compromised. Moreover, the economic costs of graffiti can be considerable. In addition to the actual costs of removing graffiti from a surface, graffiti can have a direct negative impact on the economy in general – on tourism, on retailing, and on small business. Finally, graffiti is sometimes connected with gangs, who use it to communicate within their “organization”, to intimidate neighbourhoods, to mark territory they claim to control, and to recruit new members.

To date, neither the City of Burnaby nor the Burnaby Detachment of the RCMP have catalogued or quantified the extent of the graffiti problem in Burnaby. But City staff involved in graffiti removal, citizen members of Burnaby’s Community Policing Advisory Committees, business associations, and police officers agree that graffiti is a growing problem in Burnaby. Common targets include street signs, roads, garbage receptacles, lamp standards, hydro poles and kiosks, post boxes, newspaper boxes, telephone booths and switch boxes, bus shelters and bus benches, building facades, playground equipment, park structures such as picnic tables, lacrosse boxes, tennis court walls and skateboard parks, parking structures, SkyTrain infrastructure, and pedestrian and traffic overpasses. The Burnaby RCMP advises that current hotspots seem to be Hastings Street, the Lougheed Highway and Millenium SkyTrain line, industrial areas in general, and the areas around the Royal Oak SkyTrain station, and the MacPherson Avenue/Beresford Street intersection. With regards the Royal Oak area, police report that there are often hundreds of tags on any one building, and that the incidence of racial and profane graffiti is on the rise.

Between January 1 and December 31, 2006, 37 complaints were recorded on the graffiti report line. An additional 10 graffiti complaints were received by email between June and December 2006. This total of 47 complaints is likely an underestimate of the number of reports made, as some reporters call the City Works Yard directly – and those calls are not included in the tally, and email reports before June 2006 were not recorded.

Historically, the City of Burnaby’s efforts to combat graffiti have focussed on:

- the hosting of a graffiti report line

- the timely removal of graffiti on City property
- liaison with public utilities, crown corporations, other companies, and other property owners to encourage graffiti removal on their properties
- distribution of a brochure which provides advice on graffiti removal and graffiti reporting
- support for community-based mural projects and “paint out” events.

These efforts have produced mixed results. Consequently, the need for a comprehensive strategy which engages the entire community in combating graffiti has been underlined.

THE STRATEGY

Preamble

Vision

A graffiti-free Burnaby.

Goals of Burnaby’s Anti-Graffiti Strategy

1. To engage the entire community as partners in combating graffiti.
2. To demonstrate City leadership in the fight against graffiti.
3. To eliminate graffiti in Burnaby.

Primary Elements of Burnaby’s Anti-Graffiti Strategy

Graffiti is a complex social problem with complex solutions. A successful strategy must include multiple elements which approach the problem from different perspectives, and which work together to ensure success. A successful strategy must be both reactive (e.g., graffiti clean-up and vandal identification) and active (e.g., education and prevention). It must also include the participation of many stakeholders, ranging from the City and the School District to property owners, police, youth, and the business community.

Burnaby’s proposed anti-graffiti strategy consists of four main elements as follows:

- graffiti eradication
- public education on graffiti
- graffiti prevention
- identification and deterrence of graffiti vandals

These elements are not mutually exclusive, nor are they sequential or linear. Rather, they inter-relate and intersect at many levels. Eradication, for example, can lead to prevention. Public education can result in prevention, and also in eradication and identification of vandals. Similarly, identification and deterrence of vandals can lead to prevention and eradication. For

the sake of simplicity, the four elements have been used as a framework for proposing actions which may prove to be effective in realizing the vision of a graffiti-free Burnaby. It should be acknowledged, however, that some actions could assist in achieving the objectives associated with more than one element.

Actions, unless otherwise noted, would be taken by the City of Burnaby.

The Action Plan

Summary of Proposed Actions

The following is a summary of actions proposed in Burnaby's Anti-Graffiti Strategy:

1. Adopt a Graffiti Bylaw obliging property owners to remove graffiti on their property within a specified timeline after notification by the City.
2. Actively enforce the Graffiti Bylaw.
3. Retain a full-time Anti-Graffiti Co-ordinator for a period of at least one year.
4. Actively publicize the Graffiti Bylaw and property owner obligations under the bylaw.
5. Explore approaches to assisting graffiti victims with bylaw compliance.
6. Implement agreements with public utilities, and owners of street furniture and other property on street allowances regarding the prompt removal of graffiti.
7. Explore means of assisting informal community groups wishing to sponsor graffiti clean-up events.
8. Continue to remove graffiti on City property in a timely fashion.
9. Encourage increased reporting of graffiti by enhancing the ease with which it can be achieved.
10. Launch Burnaby's Anti-Graffiti Strategy in spring 2007.
11. Develop a key message for and deliver a detailed public awareness campaign about graffiti to the general public, individual businesses, and business associations.
12. Develop a key message for and work with corporations and utilities to improve their response to graffiti removal on their properties.
13. Sponsor a consultation process with students and other youth regarding the development and delivery of a preventive educational campaign targeted to youth.

14. Sponsor a consultation process with former taggers regarding the development and delivery of a preventive educational campaign targeted to graffiti vandals.
15. Work with appropriate partners to deliver the preventive educational campaigns to taggers and other youth.
16. Encourage private property owners to take steps to prevent graffiti on their property.
17. Work with local retailers of paint, spray paint, acid, felt pens, and other graffiti tools on product placement within their premises in order to limit the unauthorized access of graffiti vandals to such media.
18. Enhance the City's mural initiatives.
19. Work with Canada Post and Telus on the installation of graffiti-resistant mailboxes and service access cabinets (SACs) in Burnaby.
20. Explore the feasibility and advisability of implementing measures to reduce opportunities for graffiti on City property.
21. Work with the Burnaby Detachment of the RCMP to launch special "problem-oriented policing" projects focussing on graffiti vandals at different times throughout the year.
22. Work with the Burnaby RCMP to create a graffiti image database.
23. Promote alternatives to court for graffiti vandals.

Element #1 – Graffiti Eradication

Objectives:

- 1.1 To implement measures to facilitate the timely removal of graffiti.
- 1.2 To implement measures to encourage the increased reporting of graffiti.

Actions:

1. *Adopt a Graffiti Bylaw obliging property owners to remove graffiti on their property within a specified timeline after notification by the City. (See proposed Graffiti Bylaw, attached as Appendix 3.)*

The proposed Graffiti Bylaw serves as the cornerstone of the anti-graffiti strategy. It requires that property owners remove hate graffiti and profane graffiti from their property within forty-eight hours, and other types of graffiti within fourteen days of notification by the City. The consequences of non-compliance would be City removal of the graffiti at the property owner's expense. Any graffiti removal expenses not repaid to the City by

year end would be added to the property tax fee for the following year. Repeated non-compliance would attract a minimum fine of \$500. Fines for those caught in the process of graffiti vandalism would also be levied. Those fines would be in addition to any fines or other penalties assessed through the court system for those found guilty of engaging in the offence of creating graffiti.

It is widely known that the key to controlling graffiti is rapid and consistent removal. Removal stymies the graffiti vandal's search for recognition, and sends the message that his/her activities will not be tolerated. In some cases, graffiti may need to be removed from the same spot several times within a short span of time in order to discourage the vandal.

At this time, Burnaby is one of the few municipalities in the Lower Mainland which does not have a graffiti control bylaw. As such, private property owners are not obliged to remove graffiti from their property, even if requested by the City to do so.

A recent survey by City staff of seven local municipalities with graffiti control bylaws suggests that the bylaws are straight-forward to administer, and have helped to control graffiti. Further, the municipalities reported that in the majority of cases, property owners comply with the bylaw upon receipt of a written notice from the municipality, rendering additional action by the municipality unnecessary.

2. *Actively enforce the Graffiti Bylaw.*

All local municipalities contacted in the above-noted survey cautioned that the effectiveness of any graffiti control bylaw in controlling the spread of graffiti would be dependent on how rigorously it was enforced, and on resources available to support compliance.

To adequately enforce the Graffiti Bylaw, the City will need to put into place procedures to confirm and photographically record reported graffiti, to serve property owners with notices to remove the graffiti, to monitor response to the notices, to remove the graffiti at the owner's expense if compliance with the bylaw is not forthcoming, and to liaise with the Burnaby RCMP in order to facilitate identification of vandals.

3. *Retain a full-time Anti-Graffiti Co-ordinator for a period of at least one year.*

Successful graffiti control programs in a wide range of jurisdictions have at least a full-time co-ordinator to support and ensure bylaw compliance. Some programs have several staff, and annual budgets well in excess of \$1 million.

If Burnaby's proposed Graffiti Bylaw and, indeed, the whole graffiti strategy outlined in this report, are to be successful, a focussed effort will be required. It is suggested that the City retain a full-time co-ordinator for a period of one year to advance the strategy. The graffiti co-ordinator would be responsible for the monitoring of graffiti reports, graffiti

images, and bylaw compliance, as well as the considerable up-front leg-work required to implement the other components of the strategy. (See Possible Responsibilities of Anti-Graffiti Co-ordinator, *attached* as *Appendix 4*.) It is recommended that the City determine if such work can be assumed by an existing staff. If not, Council authority to hire a dedicated staff person for an initial period of one year should be sought. The effectiveness of the co-ordinator would be evaluated prior to the year end to determine whether the position should be continued.

4. *Actively publicize the Graffiti Bylaw and property owner obligations under the bylaw.*

As with any new regulation or procedure, considerable effort will be required to ensure that the community is aware of and understands the requirements of the new Graffiti Bylaw. Detailed actions aimed at raising public awareness can be found in the Public Education section of this report beginning on Page 11.

5. *Explore approaches to assisting graffiti victims with bylaw compliance.*

Concerns are often raised about the double-victimization of property owners by bylaws which oblige them to incur expenses to remove graffiti from their property. In order to address such concerns, and to encourage compliance with bylaw requirements, many municipalities offer assistance to graffiti victims in the form of free or price-reduced paint, graffiti removal kits which contain a variety of tools to assist with removal, and sponsorship of community graffiti clean-up events. Some municipalities financially support non-profit societies which take on responsibility for free graffiti removal on private property.

The Provincial Community Charter, which governs the activities of all municipalities in British Columbia except the City of Vancouver, prohibits the giving by a municipality of financial assistance to business, except in limited circumstances. One of those limited circumstances is agreements with Business Improvement Areas (BIA), whereby a municipality can provide funds to a BIA for graffiti removal, and recover that funding by way of a local service tax. At this time, there is only one BIA in Burnaby. Should it choose to pursue such an agreement with the City, it is possible that graffiti management in that one area of the City could be improved.

Given the general limitation on municipal financial assistance to business, and in order to treat all Burnaby property owners equally, two other approaches to assisting graffiti victims could be explored.

The first approach is provision of paint at-cost to graffiti victims. This would involve negotiating with the City's existing paint supplier for the City's discount price for City-authorized graffiti victims. The advantages of this approach, assuming the supplier agreed, are that victims could acquire paint which matches their defaced property, and the City would incur no - or limited - additional costs. The second approach is to explore the possibility of a non-profit society participating in free graffiti removal for private property owners.

6. *Implement agreements with public utilities, and owners of street furniture and other property on street allowances regarding the prompt removal of graffiti.*

The City currently has agreements with bus bench and bus shelter advertising companies regarding the maintenance of their property. The City could explore the explicit addition of graffiti removal to those agreements. Similar agreements could be struck with public utilities, and owners of street furniture and other property on street allowances (e.g., bike racks, telephone booths). The agreements could state that, as a condition of continued placement on street allowances, owners of this type of property would be required to keep their property free of graffiti through regular inspection and clean-up programs. While the property owners would already be obliged to remove graffiti under the proposed new Graffiti Bylaw, such agreements would have the added advantage that non-compliance could result in the removal of their property from street allowances. Pilot agreements of this nature could be pursued with B.C. Hydro and other corporations. Although the details of any pilot project would have to be worked out, success could spark more interest on the part of corporations in keeping their property graffiti-free. The pilot project initiative would be undertaken in conjunction with the awareness-raising and educational initiatives outlined below.

7. *Explore means of assisting informal community groups wishing to sponsor graffiti clean-up events.*

Over the past several years, there have been a number of informal community initiatives aimed at cleaning up graffiti. While some have involved the creation of murals, the majority have consisted primarily of paint-out events. Such events have been sponsored by business associations, Community Policing Advisory Committees, shopping malls, and schools. City support for such events has been largely in the form of staff assistance in creating community momentum.

The City could take a more active role in assisting community initiatives. While City staff, with their extensive networks, could continue to assist with community mobilization, the City could also create a resource package for community groups regarding how to plan a paint-out event. The City could also assist by providing graffiti removal kits which contain brushes, rollers, cleaning cloths, and other materials required for clean-up events, or by providing matching funds for a clean-up event. Such items would need to be budgeted for.

8. *Continue to remove graffiti on City property in a timely fashion.*

One of the most important ways the City can demonstrate leadership in combating graffiti is to carry out prompt and thorough removal of graffiti on its own property. The average time taken to remove graffiti from City property is thirteen days (including weekends).

This average takes into account rainy winter months, when removal can take longer, and better weather conditions, when removal might be done in one or two days. Highest priority is given by City crews to hate graffiti, profane graffiti, graffiti in high profile locations, and graffiti which renders its host object ineffective (e.g., a road sign on which instructions are obscured). It is extremely important that the City continue to remove graffiti on its property within the forty-eight hour and fourteen day timelines set out in the proposed bylaw governing graffiti removal on private property.

- 9. *Encourage increased reporting of graffiti by enhancing the ease with which it can be achieved.*

Enforcement of the City’s proposed Graffiti Bylaw can only be as effective as the system which is in place to gather intelligence on where vandals are operating. At present, the City maintains a graffiti report line which citizens can call to report graffiti on City or private property. The line is monitored daily except weekends and holidays. Reports regarding graffiti on City property are relayed to the appropriate City staff for prompt graffiti removal. Reports regarding graffiti on private property are relayed to the property owner.

Graffiti reporting could be enhanced by adding an easy-to-find graffiti reporting feature to the City’s website, and by promoting both the hot-line and the hot-web in the community. The hot-line and the hot-web could be given catchy names which immediately identify them as graffiti-related and which are easy for would-be reporters to remember (e.g., a telephone number representing the words “COVER UP” OR WIPE OUT”).

The City could also enter into discussions with specific groups, such as Block Watch, the City’s Community Policing Advisory Committees, and City Watch to have their volunteers become involved in reporting.

Element #2 - Public Education

Objectives:

- 2.1 To raise awareness in the community about the negative impact of and costs associated with graffiti, and about the importance of timely removal.
- 2.2 To raise awareness in the community that creating graffiti is an illegal act.
- 2.3 To promote a zero tolerance attitude towards graffiti in the community.
- 2.4 To encourage the active participation of community members in the prevention and eradication of graffiti.
- 2.5 To engage youth in creating and delivering a preventive graffiti educational campaign targeted to youth.

Actions:

10. *Launch Burnaby's Anti-Graffiti Strategy in spring 2007.*

The launch could consist of the following initiatives:

- publicize and promote the strategy slogan and logo: *Help Keep Burnaby Beautiful: One Tag at a Time*
- add a graffiti reporting capability to the City's website
- deliver preliminary messages to the public focussing on:
 - the new Graffiti Bylaw and property owners' obligations under the bylaw
 - the main foci of the new graffiti strategy
 - sample initiatives to be undertaken as part of the strategy
 - graffiti reporting on the City's hotline and website

11. *Develop a key message for and deliver a more detailed public awareness campaign about graffiti to the general public, individual businesses, and business associations.*

The main messages of the campaign would include:

- the negative impacts of graffiti on a community
- the positive consequences of quick graffiti removal
- ways to prevent graffiti on one's property, with a particular focus on:
 - the innovative initiatives being undertaken by Telus and Canada Post
 - the effectiveness of adhering to the principles of Crime Prevention Through Environmental Design (CPTED)
- the obligations of property owners under new Graffiti Bylaw
- assistance available for graffiti removal
- how to report graffiti
- how to report both a graffiti vandal in action and information about a vandal

A variety of tools for delivering the messages could be used including:

- articles in *InfoBurnaby*
- articles and/or advertisements in local weekly newspapers
- a graffiti brochure which could be made available in public facilities and/or mailed with tax notices
- a promotional program such as a Graffiti Awareness Week
- a graffiti page on the City's website
- public service announcements on radio and television

12. *Develop a key message for and work with corporations and utilities to improve their response to graffiti removal on their properties.*

In addition to the general messages outlined above, the following would be highlighted:

- the importance of being a good corporate citizen
- the need to be creative in graffiti prevention and eradication
- the positive impact of graffiti-resistant Telus SAC cabinets and Canada Post mailboxes in discouraging graffiti and beautifying the community (See *Appendix 5, attached*, for examples of Telus’s graffiti-resistant SAC cabinets)
- the City’s intention to enforce the new Graffiti Bylaw and prosecute repeatedly non-compliant property owners

13. *Sponsor a consultation process with students and other youth regarding the development and delivery of a preventive educational campaign targeted to youth.*

It is widely believed that most graffiti vandals are youth. The tagger profile created by local police officers experienced in graffiti enforcement is of a Caucasian male between the ages of 11 and 25 years, with peak activity taking place between the ages of 17 and 20 years. For one half of those vandals, graffiti is their first offence. Most begin their graffiti career in about Grade 8 as a means of achieving peer recognition and rebelling against authority. According to police sources involved in graffiti enforcement, schools are the key to identifying beginner taggers, as the youth practice in class on their books and other property. For many, tagging becomes an addictive obsession; for others, it is an indicator of the vandal’s predilection for other high-risk behaviours such as assault and robbery.

The intent of the consultation process would be to identify effective preventive messages and vehicles for delivering those messages to youth in order to discourage their possible interest in starting to tag, or their ongoing participation in graffiti vandalism.

The City’s Youth Centre staff could collaborate with School District personnel, representatives from St. Leonard’s Youth and Family Services Society, and others to carry out the consultation process.

14. *Sponsor a consultation process with former taggers regarding the development and delivery of a preventive educational campaign targeted to graffiti vandals.*

Connecting with former taggers who have recognized the negative aspects of their former behaviour and who are willing to work with the community to discourage other taggers will not necessarily be an easy task. One or two possible opportunities do present themselves, however. First, if a restorative justice program for youth offenders were operating in Burnaby, information on appropriate preventive messages and methods of delivering those messages could be collected as part of the restorative process. Second, “graduates” of a graffiti school in Vancouver called ReStart could be approached. The ReStart (for “restorative art”) program aims to create a safe environment for graffiti vandals, artists/mentors, victims, police, business representatives, and community members to come together to learn from each other, and to help develop employable skills and legal opportunities for young taggers.

As with the campaign targeted to other youth, the City's Youth Centre staff could collaborate with School District personnel, representatives from Burnaby Restorative Action Group (BRAG), ReStart, and St. Leonard's Youth and Family Services Society, and others to carry out the consultation process.

15. *Work with appropriate partners to deliver the preventive educational campaigns to taggers and other youth.*

City Youth Centre staff, the proposed Anti-Graffiti Co-ordinator, School District staff, youth, and representatives from St. Leonard's Youth and Family Services Society and other youth service agencies could work together to create and deliver the proposed preventive campaign targeted to youth. They could also work with those same partners, with representatives from BRAG and ReStart, and with youth to create and deliver the proposed preventive campaign targeted to taggers.

Element #3 – Graffiti Prevention

Objectives:

- 3.1 To promote initiatives to better protect private property from graffiti vandalism.
- 3.2 To undertake initiatives to better protect City property from graffiti vandalism.

Actions:

16. *Encourage private property owners to take steps to prevent graffiti on their property.*

As noted above in the section on Public Education, a public awareness campaign which includes information on graffiti prevention is recommended. Detailed information on the proposed campaign can be found beginning on Page 12 of this report.

17. *Work with local retailers of paint, spray paint, acid, felt pens, and other graffiti tools on product placement within their premises in order to limit the unauthorized access of graffiti vandals to such media.*

According to local police officers involved in graffiti prosecution, most of the paint and other supplies used in creating graffiti is stolen. The intent of this initiative would be to apprise retailers of this fact and to work towards their voluntary agreement to display such products in a way which reduces opportunities for theft. Such a move would not only help to reduce the amount of graffiti appearing in the community, but would save retailers money as well.

18. *Enhance the City's mural initiatives.*

By its nature, graffiti is a form of expression, but there are few legal opportunities for graffiti writers to express themselves. Mural programs which provide artistic graffiti

writers with a legitimate outlet for creative expression, and which channel the vandal's energy in a more positive and productive direction, can be an effective means of deterring graffiti from appearing on other structures. Moreover, the murals themselves provide a façade which tends to be left untouched by graffiti vandals, and which can help to brighten up a neighbourhood.

Through its Community Arts Development Program, housed in the Parks, Recreation & Cultural Services Department, the City has participated in a number of community-based mural projects over the past several years. Generally, the initiative for a mural must come from the community, with the City providing support in the form of advice on materials and design, and help with the community-based, collaborative process. If the proposed mural is on City property, staff also assist in the liaison with City departments, in obtaining any permits or authorizations required, in purchase of materials, and in risk management issues. To date, the cost of murals in Burnaby has ranged from \$5,000 to \$20,000, depending on the size.

The City of Vancouver has a more active mural program in which the City itself identifies frequently tagged properties and approaches owners for permission to sponsor a mural. It then recruits artists and volunteers to paint the murals, provides materials and logistical support such as scaffolding, and pays any necessary fees.

Burnaby could design a funded mural program which is less extensive than Vancouver's but which includes more City support than is currently available. A package consisting of funding for an artist, a description of the steps required to commence a mural project, useful contact names and numbers, and any important criteria for site selection, artwork, or sponsorship could be made available to interested community groups. Information on sealing and protecting murals could also be made available. Staff time would need to be freed up for co-ordination and facilitation. Staff could work with community members, such as those involved with the Kingsway Imperial Neighbourhood Association (KINA) or the Heights Merchants Association, who have participated in mural projects in the past.

19. *Work with Canada Post and Telus on the installation of graffiti-resistant mailboxes and SAC cabinets in Burnaby.*

About two years ago, Canada Post initiated a pilot project in a few communities in Canada, including New Westminster, whereby mailboxes were wrapped in an attractive, graffiti-resistant film. A few such graffiti-resistant mailboxes have also made their way into Burnaby. Representatives of Canada Post report that the pilot project was assessed as extremely successful, but that decisions have not yet been made as to whether an official program of wrapping mailboxes will be undertaken. It is proposed that the City contact Canada Post to indicate its desire for the prompt installation of additional graffiti-resistant mailboxes in Burnaby.

In spring 2006, Telus commenced a \$200 million update to its network facilities in the Lower Mainland. Over the next three years, Telus will invest more than \$10 million to upgrade approximately 140 SAC cabinets in Burnaby with “intelligent” technology. Telus has proposed using the opportunity to also wrap the SAC cabinets with attractive graffiti-resistant material. Two cabinets in residential areas have been wrapped with foliage images thus far, and the City is working with Telus to create additional images. It is proposed that the City work with Telus to fast-track the application of graffiti-resistant material to the remaining SAC cabinets in Burnaby.

20. *Explore the feasibility and advisability of implementing measures to reduce opportunities for graffiti on City property.*

Such measures could include:

- the use of graffiti resistant materials
- the use of active landscaping e.g., prickly plantings, motion-triggered lighting and/or sprinkling
- the use of art work on traffic signal control cabinets and other City infrastructure. (See *Appendix 6, attached*, for examples from the City of Victoria, B.C.)

Element #4 – Identification and Deterrence of Graffiti Vandals

Objectives:

- 4.1 To implement measures aimed at identifying taggers.
4.2 To implement measures aimed at holding graffiti vandals responsible for their actions.

Actions:

21. *Work with the Burnaby Detachment of the RCMP to launch special “problem-oriented policing” projects focussing on graffiti vandals at different times throughout the year.*

As noted above, the identification and deterrence of graffiti vandals is a key component of graffiti prevention. The identification of vandals, however, is a time-consuming exercise involving cataloguing graffiti tags, comparing and analyzing tags found in Burnaby and in the region as a whole, and amassing enough evidence to be able to charge a particular individual who has not been caught in the act. Very focussed police work is required for this task.

The Burnaby RCMP Detachment’s practice regarding graffiti has been to focus policing on community programs rather than to set up targeted enforcement. RCMP have worked with community groups and business owners to educate and encourage ownership of the graffiti problem. Although they have made some arrests of taggers, courts have been hesitant to convict – especially first time offenders. Some known taggers who have not been caught in the act are regularly alerted by the police to the fact that RCMP members are watching them.

Given resource limitations, it is not realistic to expect the Burnaby Detachment to set up an Anti-Graffiti Unit. At this time, only two police forces in Canada have such units – the Vancouver Police Department and the Saskatoon Police Department. The Burnaby Detachment does, however, have a Problem Oriented Policing Unit which could focus on graffiti as a special project at various times. The Unit could be assisted by previous work undertaken by B.C. Transit Police and Vancouver Police Department officers who have catalogued an enormous number of tags and identified many local graffiti vandals. The use of auxiliary constables in identifying graffiti vandals could also be explored with the Burnaby Detachment of the RCMP.

22. *Work with the Burnaby RCMP to create a graffiti image database.*

In order to enforce the proposed Graffiti Bylaw, it will be necessary to photograph and catalogue all instances of reported graffiti in Burnaby. For images to be accepted in court as evidence against a graffiti vandal, precise photographic standards must be observed. Information on incidents of graffiti could be shared by the Anti-Graffiti Co-ordinator with the Burnaby RCMP, which should be encouraged to participate in efforts to build a region-wide – or even province-wide - centralized graffiti image database. Graffiti tags can contain many clues to the identity of the tagger, and a photographic database enables police to continue to examine those clues long after the offending tag has been removed in order to discourage the vandal.

At present, there is not a central graffiti-image database in the Lower Mainland. The City of Vancouver, however, is in the planning stages of developing or purchasing software upon which a graffiti-image database can be founded. Vancouver’s hope is that other municipalities and police forces will participate in collecting and posting images, which will strengthen police efforts to have charges laid against graffiti vandals. Staff from the City of Vancouver expect the new graffiti database to be operational sometime in 2007. It would be valuable for Burnaby’s Anti-Graffiti Co-ordinator to liaise with Vancouver staff to ensure any Burnaby efforts are compatible with the system already created.

23. *Promote alternatives to court for graffiti vandals.*

Experience has demonstrated that it takes an enormous amount of work on the part of police officers to gather enough evidence against a graffiti vandal to secure a conviction in court. Even then, sentences levied are not always severe enough to act as a deterrent. Some youth who enter the court system are required to undertake “community service” as restitution for their crimes; in Burnaby, those youth are monitored by St. Leonard’s Youth and Family Services Society, and some engage in graffiti removal.

The Federal Youth Criminal Justice Act, which replaced the Young Offenders Act in 2003, relies heavily on restorative approaches to dealing with first time youth offenders as an alternative to admitting them into the criminal justice system. The focus of a restorative justice process is on healing relationships damaged by certain actions by having the perpetrator meet with the victim (if appropriate), take responsibility for his/her

actions, and work with the victim or the victim's delegate to repair the harm. Experience has demonstrated that the restorative justice process makes an emotional – and sometimes painful – impact on youth who realize that their crime is not victimless. It has proven particularly successful for ten, eleven and twelve year olds, who would not be taken to court in any event, and whose parents can be involved in the restorative process.

Many communities have chosen to work with offending youth outside of the court system to both educate them about the ramifications of their crime, and to make restitution for it. Restorative justice programs in Vancouver, on the North Shore, in Coquitlam, and in the Fraser Valley have proved very successful in dealing with first-time graffiti vandals, in terms of both victim satisfaction, and forestalling future graffiti activities by the vandal.

It is proposed that the role of a Burnaby-based youth restorative justice program in addressing graffiti be explored.

IMPLEMENTATION AND MONITORING OF THE STRATEGY

Assuming the retention of a dedicated, full-time Anti-Graffiti Co-ordinator, it is expected that full implementation of Burnaby's Graffiti Strategy could take at least one year. The Mayor's Graffiti Task Force should continue to meet during strategy implementation, with a revised mandate as a reference and resource group for the Co-ordinator. Bi-monthly or quarterly meetings, at which the Co-ordinator would report on progress, seek advice on aspects of implementation, and receive feedback on efforts to date, would likely be sufficient.

Implementation of the proposed Anti-Graffiti Strategy will require dedicated resources, and thus have cost implications for the City. At the very least, funding will be required for the following:

- the Anti-Graffiti Co-ordinator
- the public education campaign
- the youth consultation processes, and the youth and tagger preventive educational campaigns
- the enhanced mural initiative

Other resources, related to assistance to graffiti victims, reducing opportunities for graffiti on City property, and a restorative justice program, could also be incurred. Some of the costs will not be known until more research has been undertaken by the Co-ordinator as part of strategy implementation. Task Force members recognize that any resources required for implementation will require Council approval through the City's standard budget approval process.

A formal strategy implementation progress report should be prepared by the Co-ordinator for the Task Force and for Council at the end of the implementation year. The report would identify and rationalize any elements of the strategy which have not been implemented, evaluate the success of efforts to date, and make appropriate recommendations for furthering graffiti eradication in Burnaby. At that point, decisions could be made about whether an Anti-Graffiti Co-ordinator is required on a full-time, ongoing basis, or whether ongoing monitoring and follow-up on graffiti reporting and bylaw enforcement can be assumed by existing staff.

CITY OF BURNABY

MEMBERSHIP - MAYOR'S TASK FORCE ON GRAFFITI

- CHAIR:** Councillor C. Jordan
City of Burnaby
- MEMBERS:** Ms. Ann Carlsen
North Road Business Association
- Ms. Artie Chumpol
Burnaby Board of Trade
- Ms. Diane Gillis
Kingsway/Imperial Neighbourhood Association
- Mr. Chris Hildred, Chair
Southwest District
Community Policing Advisory Committee
- Mr. Paul McDonell
Burnaby Parks, Recreation & Culture Commission
- Mr. Jim McQueen
Edmonds Town Centre Business & Community Association
- Diana Mumford, Trustee
Burnaby School District #41
- Ms. Carmen Murphy
Burnaby Crime Prevention Society
- Mr. Ken Ryan
Burnaby Mountain District
Community Policing Advisory Committee
- Mr. Dave Stevenson
St. Leonard's Youth & Family Services Society
- Mr. Dave Switzer
Heights Merchants Association
- Mr. Tony Wong, Chair
Hastings – Brentwood District
Community Policing Advisory Committee
- Ms. Debbie Zurowski
Southeast District
Community Policing Advisory Committee

STAFF RESOURCES: Mr. Basil Luksun
Director Planning and Building

Ms. Joan Selby
Social Planner
Planning Department

Cst. Lee Ashdown
Burnaby RCMP

Mr. Peeter Liivimagi
Assistant Director
Traffic & Engineering Systems

Ms. Ann Lorentsen
Administrative Officer Operations
Clerk's Department

MAYOR'S TASK FORCE ON GRAFFITI

TERMS OF REFERENCE

BACKGROUND

Graffiti has become a serious problem for our community. Its presence affects everyone who sees it. Left alone, graffiti creates an impression that a neighbourhood is uncared for and unsafe – which in turn can invite more graffiti and other types of vandalism and crime. Graffiti is personally damaging if it conveys hatred or discrimination, and offensive graffiti detracts from the enjoyment of streets and other public areas by all citizens. The cost of removing graffiti is also considerable.

Graffiti is a community problem which requires the attention of many stakeholders. To respond to graffiti in Burnaby, a Mayor's Task Force on Graffiti has been established.

PURPOSE

The purpose of the Task Force is to examine best practices and innovative ideas on the prevention and eradication of graffiti in the community. Based on its findings, the Task Force will make recommendations to Council on a proposed strategy to combat graffiti in Burnaby. The work of the Task Force will include (but not be limited to) examining:

- best practices in eradicating graffiti (e.g. graffiti control bylaws, assistance for the victims of graffiti vandalism, graffiti removal on public property and utilities).
- best practices in policing of graffiti vandals.
- innovative preventative measures (e.g. public education and awareness, mural programs, community clean-ups).

MEMBERSHIP

The Task Force will be chaired by Councillor Colleen Jordan.

The Task Force will consist of the following members representing a broad cross section of the community bringing different perspectives and experience in graffiti.

Members:

- Chair
- One representative from each Community Policing District

- St. Leonard’s Youth and Family Services Society (1 member and 2 youths as needed)
St. Leonard’s holds the Ministry of Children and Family Development contract for youth services in Burnaby. It works with youth who have received court orders to complete work service hours.
- Heights Merchants Association (1 member)
- Burnaby Board of Trade (1 member)
- Edmonds Town Centre Business and Community Association (1 member)
- Business Watch/Crime Prevention Society (1 member)
- North Road Business Improvement Association (1 member)
- Kingsway/Imperial Neighbourhood Association (1 member)
- Parks, Recreation and Culture Commission (1 member)
- Burnaby School Board (1 member)

Staff representation from each of the following departments will provide support to the Task Force:

- Planning - research on best practices in the prevention and eradication of graffiti and project management.
- Engineering - information and expertise on graffiti removal.
- Parks, Recreation and Cultural Services - information and expertise on graffiti removal and information on youth programs aimed at preventing graffiti.
- License - property use bylaw enforcement.
- Clerks - administrative support.
- RCMP - law enforcement, crime prevention.

DURATION OF MANDATE

The Task Force will present a proposed strategy for combating graffiti within six months of its inception.

MEETING FREQUENCY AND LOCATION

Meetings will be at the call of the Chair. However, it is anticipated that the Task Force will likely meet about six times. Meetings will be held at City Hall or another suitable location determined by the Task Force.

RESOURCES REQUIRED

Any capital and operating expenditures required to support specific recommendations or actions shall be submitted for the consideration of Council for review in relation to other City priorities as part of the annual preparation of the City's Financial Plan

Costs of printing, mailing and other incidental support for the Mayor's Task Force on Graffiti will be through the Clerks and Planning Departments.

CITY OF BURNABY

BYLAW NO.

A BYLAW relating to graffiti

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY GRAFFITI BYLAW, 2007.**

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires

“Chief Licence Inspector” means the Chief Licence Inspector of the City and any employee of the City authorized by him or her to act on his or her behalf under this Bylaw;

“graffiti” means one or more letters, symbols, marks, designs, or drawings, howsoever made, on any structure, place or thing, but does not include any of the following:

- (a) a sign, public notice, or traffic control mark authorized the City’s Director Engineering;
- (b) a sign authorized pursuant to Burnaby Sign Bylaw;
- (c) a public notice authorized by a City Bylaw or by Provincial or Federal legislation; or

- (d) in the case of private real property, a letter, symbol, mark, design or drawing authorized by the owner or occupant of the property on which the letter, symbol, mark, design or drawing appears, that does not render the real property unsightly;

“hate graffiti” means graffiti that demeans a person or group or class of persons based on race, colour, ancestry, place of origin, religion, physical or mental disability, sex or sexual orientation of such person or group or class of persons;

“order to comply” means an order to comply issued pursuant to Section 5 of this Bylaw;

“real property” means land including any buildings, structures, or other improvements thereon.

PROHIBITION

- 3. No person shall place graffiti, or cause graffiti to be placed on, or displayed from, any wall, fence, structure or other thing in any street, public place or from real property adjacent to a street or public place, or on any motor vehicle or other moveable object.

REQUIREMENT

- 4. Every owner or occupier of real property shall at all times keep any wall, fence, building, structure or thing that is located on that real property free of graffiti.

ORDER TO COMPLY

- 5. Where a person has failed to comply with section 4 of this Bylaw, the Chief Licence Inspector may order in writing the removal of the graffiti from the real property.

SERVICE OF ORDER TO COMPLY

6. An order to comply is deemed to be served on an owner or occupier of real property when it has been:

- (a) mailed by registered or certified mail to the address of the owner shown on the last revised real property assessment roll;
- (b) delivered to the owner or an occupier of the real property, or placed in a mailbox or other receptacle for the receipt of mail on the real property; or
- (c) posted on the real property.

FAILURE TO COMPLY

7. If an owner or occupier fails to comply with an order to comply

- (a) in the case of hate graffiti or graffiti containing profane words, symbols, marks, designs, or drawings, within 48 hours of service; or
- (b) in the case of graffiti other than hate graffiti, within 14 days of service;

the City, by its employees, agents, or contractors, may enter onto the real property and effect compliance at the cost of the owner.

COSTS ADDED TO TAXES

8. The costs and charges incurred by the City for work performed on real property pursuant to Section 7 shall, if unpaid on December 31 of the year in which the work was performed, be added to and form part of the real property taxes on that real property as taxes in arrear.

OFFENCES AND PENALTIES

9. Every person who:

- (a) violates any provision of this Bylaw; or
- (b) causes or suffers or permits any act or thing to be done in contravention, or in violation, of any provision of this Bylaw ; or

- (c) neglects or refrains from doing anything required to be done by any provision of this Bylaw, or
- (d) fails to comply with an order to comply, direction or notice given under this Bylaw;

shall be deemed to be guilty upon summary conviction of an infraction of this Bylaw, and shall be liable to the penalties hereby imposed.

10. Each day that an infraction exists or is permitted to exist shall constitute a separate offence.

11. Any person who is guilty of an infraction of this Bylaw is liable to a fine and penalty of not less than Five Hundred (\$500.00) Dollars and not more than the maximum specified in the Offence Act from time to time.

Read a first time this	day of	200
Read a second time this	day of	200
Read a third time this	day of	200
Reconsidered and adopted this	day of	200

MAYOR

CLERK

**POSSIBLE RESPONSIBILITIES OF
PROPOSED ANTI-GRAFFITI CO-ORDINATOR**

1. Start-Up

- Develop and deliver materials for all aspects of public awareness campaign
- Facilitate and oversee consultation process with youth regarding the development of a preventive educational campaign targeted to youth
- Facilitate and oversee consultation process with former taggers regarding the development of a preventive educational campaign targeted to graffiti vandals.
- Develop and deliver consequent materials/initiatives targeted to taggers and other youth
- Implement agreements and possibly pilot projects with public utilities and owners of street furniture regarding graffiti removal.
- Provide assistance to community groups wishing to sponsor graffiti clean-up events.
- Facilitate the creation of a graffiti reporting mechanism on the City's website
- Develop and deliver promotional materials for Graffiti Hot-Line and City website
- Explore approaches to assisting graffiti victims with bylaw compliance
- Work with Telus and Canada Post on installation of graffiti-resistant structures.
- Work with retailers of paint and other graffiti media for voluntary action on product placement
- Examine and possibly implement strategies to reduce opportunities for graffiti on City property
- Work with the Parks, Recreation & Cultural Services Department to enhance the City's mural initiative
- Explore the role of a Burnaby-based youth restorative justice program in addressing graffiti.

2. Ongoing

- Monitor and catalogue graffiti reports on Graffiti Hot Line
- Monitor and catalogue graffiti reports on City website
- Catalogue graffiti reports from City Watch and other volunteers
- Verify and photograph reported graffiti images
- Liaise with City crews regarding graffiti removal on City property.

- Deliver notices to graffiti victims re: need to comply with Graffiti Bylaw
- Enforce Graffiti Bylaw by monitoring compliance by graffiti victims
- Liaise with City crews re: graffiti clean-up on non-compliant property
- Liaise with Finance Department re: billing property owners for clean-up on non-compliant property
- Facilitate victim access to graffiti removal assistance
- Liaise with RCMP regarding the inventory of graffiti images and the identification of graffiti vandals
- Liaise with community groups wishing to sponsor graffiti clean-up events
- Liaise with Translink, SkyTrain and other corporations on a regular basis regarding graffiti removal from their property.
- Evaluate the anti-graffiti strategy on a regular basis

Appendix 5
Image 1



*City of Burnaby
Report on Mayor's Task Force on Graffiti
Appendix 5.....Page 1*

Appendix 5
Image 2



*City of Burnaby
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