

Village of Glen Ellyn

Ordinance No. 5616-VC

**An Ordinance Amending Title 7 (Nuisances)
Adding Section 7-2-7; Removal of Graffiti
to the Village Code of the
Village of Glen Ellyn, Illinois**

**Adopted by the
President and Board of Trustees
of the Village of Glen Ellyn,
DuPage County, Illinois**
this 24 day of September, 2007.

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County,
Illinois, this 27 day of September,
2007.

Ordinance No. 5616-VC

AN ORDINANCE AMENDING TITLE 7 (NUISANCES)
ADDING SECTION 7-2-7: REMOVAL OF GRAFFITI
TO THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DUPAGE COUNTY, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION ONE: Title 7 (NUISANCES) of the Village Code of the Village of Glen Ellyn is amended by adding Section 7-2-7: as follows:

7-2-7: Removal of Graffiti:

- A. The Village of Glen Ellyn declares graffiti, as defined in subsection D, as a nuisance and as a nuisance, subject to abatement as provided herein.
- B. Upon notification by the Village, the owner of property upon which graffiti has been illegally placed shall remove the graffiti within ten (10) working days from the date of the notice. Each day that the graffiti is allowed to remain after the date by which it should have been removed will constitute an additional violation. An extension of the time in which graffiti must be removed may be granted by the Village upon application of the property owner to the Police Department and a showing of cause. Cause shall include but not be limited to: weather, temperature, availability of chemicals, or physical limitations.
- C. The Village of Glen Ellyn, upon notification of graffiti placed upon Village property, shall remove the graffiti within ten (10) working days from the date of notification.
- D. Graffiti shall be defined as the painting, inscription, drawing or otherwise placement upon the surface of any building or structural surface, such as a wall, fence or tree, that is publicly or privately owned of any sign, symbol, marking, drawing, name, initial, word, diagram, sketch, picture, or letter, which violates any Village ordinance or was not placed there at the Owner's request. The above list is not all-inclusive, but is merely illustrative of items known as graffiti. It shall be an affirmative defense to the alleged violation of the foregoing provisions if such activity was undertaken with the prior written consent of the owner of the

property, demonstrating that the owner was aware of the content and methods of inscription to be placed on the structure or wall; however, no Owner of property shall place or give permission to place on any property, real or personal which is in public view any sign, symbol, marking, drawing, name, initial, work, diagram, sketch, picture or letter, which violates the provisions of any Village ordinance or which incites violence by reference to gang or criminal activity, depicts or expresses obscenity by referring to sexual activity or contains defamatory material about a public or private person.

- E. Upon a finding of guilty for a violation of Title 7: Section 7-2-7, there shall be imposed a fine of not less than \$100.00 nor more than \$500.00.

SECTION TWO: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Glen Ellyn, Illinois this 24 day of September, 2007.

AYES: Coverford, Lee, Armstrong, Lebeac Norton, Thorsell

NAYES: - 0 -

ABSENT: - 0 -

Approved by the Village President of the Village of Glen Ellyn, Illinois, this 24 day of September 2007.

Vicky Hase
Village President of the
Village of Glen Ellyn, Illinois

ATTEST:

Katherine Bewick
Deputy Village Clerk of the Village
of Glen Ellyn, Illinois

(PUBLISHED in pamphlet form and posted on the 27 day of September, 2007.)