

Philadelphia's Anti-Graffiti Laws

GRAFFITI VANDALISM

The penalty for an individual who commits graffiti vandalism, (Philadelphia Code 10-501(1) (Property—Damaging, Defacing and Interfering With) can be a fine of \$300. The court may decide to order the offender to instead perform community service which may include “restoring the property to the condition it was prior to its destruction, damage or defacement”. The court may also require the offender to provide restitution for the restoration of the property and also consider recommendations made by its victim. The law goes on to say that the parent, legal guardian or other legally responsible adult of any child under the age of eighteen (18) years who violates the code shall also be in violation.

Repeat Offenders:

The following excerpt taken from the Philadelphia Code describes the consequences of committing multiple acts of graffiti vandalism:

Any person who commits, on more than one occasion, an act of graffiti in violation of Section 10-501(1) shall be guilty of a separate offense of Repeat Violation, and for each such Repeat Violation, shall be subject to a fine of three hundred (\$300) dollars, or imprisonment for not more than (90) days, or both. Each violation, after the first shall constitute a separate Repeat Violation offense. (Philadelphia Code 10-502(1)-Penalties)

SALE OF SPRAY PAINT CONTAINERS, INDELIBLE MARKERS & ETCHING ACID

Vendors must keep spray paint containers, indelible markers or etching acid “...in an enclosed device which is constructed to prevent removal of the merchandise except by the authorized attendants or is stored, out of sight, in such a way as to prevent free access to the merchandise by the public”.

(Philadelphia Code 9-618(3a))

“No person shall sell or otherwise transfer any spray paint container, or indelible marker or etching acid to a minor unless said minor is accompanied by a parent or legal guardian at the time of the purchase or transfer”. (Philadelphia Code 9-618(3b))

Penalties:

Any person who violates these laws can be subject to a fine or penalty “not less than fifty (\$50) dollars nor more than three hundred (\$300) dollars and/or imprisonment not exceeding ninety (90) days”.

(Philadelphia Code 9-618 (5a))