

CHAPTER 5

GRAFFITI

SECTION:

- 5-5-1: Definitions
- 5-5-2: Graffiti
- 5-5-3: Prohibited Violation
- 5-5-4: Civil Liability

5-5-1: **DEFINITIONS:** As used herein, "making graffiti" means the act of defacing, damaging or destroying any real or personal property of another by the unauthorized inscription of a word, figure or design that is marked, etched, scratched, drawn or painted on any building by the use of an aerosol container of spray paint, paintbrush, broad tipped marker or similar instruments or tools that may apply paint or other substances to a surface or etch the same therein. Defacing shall include, but not be limited to, walls, buildings, billboards, signs, rocks, markings, monuments, gravestones, fences, roads, bridges, vehicles or any other public or private property.

5-5-2: **GRAFFITI PROHIBITED:** No persons shall make graffiti on any public or private real or personal property owned by any person, firm, corporation or public agency.

5-5-3: **VIOLATION:** The making of graffiti in violation of section 5-5-2 of this chapter shall be a misdemeanor.

5-5-4: **CIVIL LIABILITY:** In addition to any penalty imposed by any court of competent jurisdiction, the defendant found guilty of making graffiti shall be civilly liable to the county or the building owner or lessee for the cleanup of the graffiti, and in the case of a minor found guilty of making graffiti, the parent or guardian shall be civilly liable for the damages and subject to the limitations provided in Idaho Code section 6-210.