

MOTION

9. Mitigating and Managing Nuisance Graffiti in Vancouver (Member's Motion B.6)

At the Council meeting on May 18, 2021, Council referred the following motion to the Standing Committee on Policy and Strategic Priorities meeting on May 19, 2021, in order to hear from speakers, followed by debate and decision.

MOVED by Councillor Fry

WHEREAS

1. Graffiti is a form of unauthorized and quasi-anonymous visual communication dating back thousands of years and spanning cultures and continents. Ancient examples of graffiti can be found among the ruins of Pompeii, tombs of Europe, conquests of the Crusaders, and ancient civilizations from Vikings to Mayans;
2. Graffiti is a form of self expression that may variously manifest as social or political statements, as street art or guerrilla marketing, as well as gang symbols, intimidation, and tagging (personal visual identifiers);
3. Since the emergence of hip hop in the 1970's and graffiti as one of its four elements; spray paint street art has evolved a variety of styles from simple tags to elaborate murals, and elevated graffiti to an artform and cultural phenomenon;
4. Today, graffiti includes paste-ups, stickers, and etchings as well as elaborate wall murals using many different media. The renaissance of street art manifests in everything from corporate advertising¹, to place-making initiatives like the Vancouver Mural Fest², to record-breaking³ art sales at auction;
5. Street tagging in particular is a ubiquitous form of graffiti. Quick and stealthily applied ciphers, signatures, and logos identify the "tagger", and are virtually impossible to catch in the act. Tags are found on everything from walls and windows to street utilities and vehicles. Studies of urban graffiti by Keep America Beautiful with data from 17 cities estimate 78-80% of graffiti is tagger graffiti;
6. Psychological profiles of street taggers point to boredom, status, non-conformity, and adrenaline rush as motivators and rewards that compel them to tag more. Taggers have been shown to variously neutralize impacts of their compulsion, primarily because they see tagging as a "victimless crime." ⁴;
7. Graffiti is up 67% across the City on public property, and the neighbourhoods seeing the highest number of graffiti tags are Downtown,

Grandview-Woodland, Mount Pleasant, Strathcona, Kensington-Cedar Cottage, and Kitsilano;

8. Graffiti removal is a significant line item for a number of BIAs in Vancouver. For instance, the Downtown Vancouver BIA has budgeted \$575,257 in this fiscal year for in-house and contracted graffiti management. Since the COVID-19 pandemic, less eyes on the street, more boarded up storefronts, and a frustrated population have led to a noticeable uptick in graffiti and street tagging.⁵ Across the city, nuisance graffiti has seen a significant increase;
9. A variety of remediation techniques and private companies have been deployed to manage graffiti in Vancouver and cities everywhere, including detergents, solvents, scrapers, pressure washers, sandblasters, and paint restoration. Additionally preventative measures including resistant paints, coatings and surfaces are available. In the United States, graffiti removal and damage is estimated to cost \$12 billion a year⁶;
10. Anecdotal and empirical evidence both suggest that the presence of unremediated graffiti begets more graffiti. Controversial studies suggest that the presence of graffiti leads to more crime, though it is important to recognize that correlation does not equal causation and as a form of self-expression graffiti may be more accessible and endemic to lower income communities;
11. Many cities hard hit by graffiti have developed systems to photograph, analyze, identify and catalogue chronic taggers. Police, graffiti abatement, parking enforcement, and other city employees assist by photographing and documenting tags. Armed with documentation and location of tags, cities are using digital tools to help identify, track, prosecute and seek restitution from graffiti vandals for the extent of their damages. San Diego County cites one successful prosecution where a singular tagger was identified in 217 incidents, and fined \$87,000 in repairs and restitution.⁷ Web-based app Graffiti Tracker claims to have analyzed nearly 6 million photos, facilitating over 4,000 arrests and over \$10m in restitution⁸;
12. The City of Vancouver defines graffiti as “one or more letters, symbols or marks, howsoever made, on any structure or thing” placed without the property owner or tenant’s prior, written authorization. Graffiti By-law 7343⁹ prevents the unsightliness of property by prohibiting graffiti and requiring properties be kept free of graffiti. Under the by-law, property owners are required to remove unauthorized graffiti within 10 days of receiving a notice. Under the by-law, the minimum fine and penalty for anyone doing graffiti without authorization is \$500 for each offence;
13. The City of Vancouver supports an Integrated Graffiti Management Program (IGMP) that provides strategic direction and programs to manage graffiti and graffiti removal services on public property;

14. The City of Vancouver additionally supports a Free Paint Program in partnership with Dulux Paints, where Vancouver property owners and tenants can receive up to two gallons in a calendar year of free exterior paint for the removal of existing graffiti¹⁰; and
15. Despite the explosion of curated street art to support placemaking and graffiti-style arts (ie. Vancouver Mural Fest), many cities have sanctioned areas to support unauthorized graffiti and self expression, for example 5Pointz in New York, Hosier Lane in Melbourne, Sydhaven in Copenhagen, Raleigh Free Expression Tunnel in North Carolina, Venice Graffiti Pit in Los Angeles, and Toronto's Graffiti Alley (one of several designated exempt zones developed by Toronto's Graffiti Management Plan, local property owners and BIAs¹¹). These locations are freely and regularly painted and repainted and have become destinations for taggers, artists and admirers alike.

THEREFORE BE IT RESOLVED

- A. THAT Council recognize that the increase in street tagging style graffiti in particular has increased during the pandemic, and put a significant burden on small businesses and BIAs already struggling with pandemic recovery.
- B. THAT Council direct staff to report back on the public awareness and utilization of the City of Vancouver/Dulux Free Paint program for graffiti abatement;

FURTHER THAT staff report back with programming to encourage residents and businesses to help manage nuisance graffiti through the program.
- C. THAT Council direct staff to report-back on current enforcement and prevention measures, and opportunities to increase enforcement, identification, and tracking of prolific taggers in 2021 and 2022;

FURTHER THAT Council direct staff to report back with a communications strategy for public education to highlight the costs and impacts of nuisance graffiti and tagging, as well as fines and penalties for offenses under the by-law.
- D. THAT Council direct staff to establish a temporary exemption from fines and penalties and mitigation strategies for specific owners and/or occupiers of real property who demonstrate they are repeated targets of graffiti in 2021.
- E. THAT Council direct staff to allocate an additional \$300K in 2021 toward the BIA Graffiti Management program in the form of direct grants to BIAs with the highest percentage of graffiti incidents and pursue recovery of

these funds through provincial and federal COVID-19 recovery grant programs.

- F. THAT Council direct staff to consult with local BIAs and the street art community to gauge interest and identify areas that might be considered as sanctioned graffiti zones.

LINKS

1. Luxury Brands Are Taking Over the Street Art Scene
<https://www.bloomberg.com/news/features/2019-07-23/luxury-brands-gucci-louboutin-graffiti-ads-take-over-street-art>
2. VMF Wins BC Heritage Award Announces Black Strathcona Resurgence Project
<https://vanmuralfest.ca/blog/vmf-wins-bc-heritage-honour-award-for-hope-through-ashes-a-requiem-for-hogans-alley-and-announces-black-strathcona-resurgence-project-for-vancouver-mural-festival-2021>
3. New Banksy Record: Painting Honoring Britain's Health Care Sells For \$20 Million
<https://www.forbes.com/sites/carlieporterfield/2021/03/23/a-new-banksy-record-painting-honoring-britains-health-care-sells-for-20-million/?sh=5394dac7374a>
4. "It's Just Paint": Street Taggers' Use of Neutralization Techniques
<https://mentis.uta.edu/dashboard/file/download/id/186979>
5. Spike in graffiti leaves Vancouver businesses counting another cost of the pandemic
<https://www.cbc.ca/news/canada/british-columbia/graffiti-spike-vancouver-businesses-cost-pandemic-1.5749107>
6. Graffiti: Addressing \$12 Billion Annual and Growing Problem https://www.alpolic-america.com/wp-content/uploads/2017/03/GraffitiResistance_050615.pdf
7. San Diego County : Tracking Graffiti One Tag at a Time
<https://www.countynewscenter.com/tracking-graffiti-one-tag-time/>
8. Graffiti Tracker
<http://graffititracker.net/>
9. Graffiti By-Law 7343
<https://bylaws.vancouver.ca/7343c.PDF>
10. City of Vancouver and Dulux Free Paint Program
<https://vancouver.ca/home-property-development/free-paint-program.aspx>
11. A Graffiti Management Plan for Toronto, June 2011
<https://www.toronto.ca/legdocs/mmis/2011/ls/bgrd/backgroundfile-39134.pdf>