



BOARD/COMMISSION RECOMMENDATION

Downtown Commission

Recommendation Number 20240417-003: Request to centralize graffiti programs; create and fund a new City of Austin department

WHEREAS graffiti is a crime under the laws of the state of Texas; and

WHEREAS Title 7 of the Texas State Penal Code 28.02 addresses offenses against property, including graffiti.

WHEREAS title 7 of the Texas Penal Code addresses criminal trespass; and

WHEREAS Title 3 of the Texas Penal Code 12.43 establishes penalties for repeat and habitual misdemeanor offenses; and

WHEREAS graffiti is a public nuisance; and

WHEREAS graffiti defaces public and private property, leaving property owners and taxpayers to bear the burden of remediation, and adversely affects citizens, communities, businesses, and property values; and

WHEREAS graffiti is a growing problem that cost the Austin Parks and Recreation Department \$546,000; Building Services \$437,325; TxDot and CTRMA more than \$150,000 just for central sections of Mopac Loop 1 and IH35; and

WHEREAS the Downtown Austin Alliance abated 26,485 instances of graffiti and stickers/posters in 2022 in the Downtown PID through a third-party vendor, incurring a considerable cost to do so that would have been better spent elsewhere; and

WHEREAS tagging traffic signage creates public safety hazards and damages the reflective coating needed for visibility, resulting in replacement of signage at a considerable cost to taxpayers.

NOW THEREFORE BE IT RESOLVED THAT the Downtown Commission requests that the City of Austin centralize its various graffiti programs into a new Department of Nuisance Abatement;

and that it be placed under the authority of the Code Enforcement Department; and that it be funded to the sum of \$2 million dollars.

Date of Approval: 4/17/2024

Record of the vote: 6-0 vote

Ayes: Chair Harris, Vice Chair Ishmael, Commissioners Levinson, Major, Ortega, Shifferd

Absent: Commissioners Cardona-Beiler, Coufal and Lavigne

Attest: *Christi Vitela*

(Downtown Commission Staff Liaison)