	<u>Internal Procedure</u> Graffiti Removal From Private Property
Version No:	2
First Approved:	2010
Review Frequency:	4 yearly
Last Reviewed:	2015
Next Review:	2019
File:	5.67.3.5
Policies Related:	WHS Contractor Management policy
Applicable Legislation:	Local Government Act 1999 and Graffiti Control Act 2001; Graffiti Control (Miscellaneous) Amendment Act 2013; Graffiti Control Regulations 2013 ('the Regulations');
Department:	Planning & Infrastructure
Responsible Officer:	Manager, Planning and Infrastructure

1. PURPOSE

To provide a procedure for property owners, business owners and authorised third parties to seek reimbursement from Council for materials used in the removal of graffiti from private property within the Town of Walkerville.

2. SCOPE

This procedure applies to all land owners within the Town of Walkerville.

Council is responsible for the removal of graffiti from Council owned buildings and assets, and funds are budgeted annually for this work.

Council does not remove graffiti from privately owned structures including fences and walls, but will assist owners by making provision to provide reimbursement for materials used by owners in the removal of graffiti.

Private land owners, business owners and/or authorised third parties must correctly fill out and submit an application form for Council approval when seeking reimbursement for materials used for the removal of graffiti.

Graffiti Laws in South Australia

South Australia has enacted legislation, which is aimed at graffiti vandals and stipulates controls on the sale and accessing of graffiti implements.

Offenders can be charged under either:

Graffiti Control Act 2001, Graffiti Control (Miscellaneous) Amendment Act 2013; Graffiti Control Regulations 2013 ('the Regulations'); and

Sections 84 & 85 of the Criminal Law Consolidation Act 1935. (relating to property damage).

Other relevant legislation includes the Local Government Act 1999 and Young Offenders Act 1993

3. DEFINITION

“**Graffiti**” includes words or drawings that are placed on public or private property without permission and generally considered as the illegal and intentional damage or defacement to other people’s property through written, scribbled, scratched, adhered or painted messages upon a surface.


4. PROCEDURE

Council will set aside funds, determined annually as part of the Business Plan and Budget, for Graffiti removal from private property for Council land owners and business owners, with a maximum reimbursement of \$50 per financial year per property. Land owners who remove, or have a third party remove graffiti from their property and are seeking reimbursement for materials used must complete an application form which can be provided by Customer Service or downloaded from Council’s website: <http://www.walkerville.sa.gov.au>

Third parties who claim to have removed graffiti from private property and are seeking reimbursement MUST have written authorisation from the property owner as evidence to support their claim.

The application will be assessed and determined by the Team Leader Assets and Infrastructure.

The applicant will be advised of the result of the assessment within 7 days of receiving the application.

GRAFFITI REMOVAL ON PRIVATE PROPERTY REIMBURSEMENT OF PAINTING/ PROFESSIONAL CLEANING PRODUCT COSTS Council is committed to providing an incentive to residents and local business owners in removing graffiti from private property						 TOWN OF WALKERVILLE	
Personal Details							
Name:							
Address:							
Phone:							
Email:							
I am:							
<input type="checkbox"/> The property owner, or							
<input type="checkbox"/> Authorised representative of the property owner (Authorisation to be attached)							
Graffiti Details							
Date of vandalism (if known)							
Photographic evidence of graffiti damage attached, before removal <input type="checkbox"/>							
Photographic evidence attached, after removal <input type="checkbox"/>							
Property Suburb		<input type="checkbox"/> Medindie		<input type="checkbox"/> Walkerville			
		<input type="checkbox"/> Gilberton		<input type="checkbox"/> Vale Park			
Property Type		<input type="checkbox"/> Private Residence		<input type="checkbox"/> Business / retail			
Location of Graffiti		<input type="checkbox"/> Fence		<input type="checkbox"/> Garage / Carport		<input type="checkbox"/> Building Front	
		<input type="checkbox"/> Sign		<input type="checkbox"/> Window		<input type="checkbox"/> Building Rear	
						House	
						Other.....	
Details of materials used in removal, receipts and other supporting documentation to be attached							
PLEASE READ THE FOLLOWING DISCLAIMER AND SIGN BELOW							
I understand and acknowledge that the Council is not liable for any injury, damage or loss resulting from the use of any materials used by me in the removal of graffiti from private property and I indemnify and hold harmless the Council from any claim that may arise from any such injury, damage or loss.							
I HAVE READ AND UNDERSTAND THE ABOVE DISCLAIMER							
Name (please print)						Date	
Signature							
ASSESSMENT (Office use only)							
Assessed by (staff member)							
APPROVED <input type="checkbox"/> Yes <input type="checkbox"/> No							
Signature						Date	