

TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2018

A LOCAL LAW AMENDING CHAPTER 28 OF THE TOWN CODE
ENTITLED “HOUSING, REHABILITATION AND
PROPERTY MAINTENANCE CODE”

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that covering over graffiti with paint that differs in color from the original color of the site highlights that there was graffiti, encourages re-creating the graffiti, and creates a look that some perceive as very unsightly. For these reasons, the Town Board finds it in the best interests of the Town to require that when graffiti is painted covered over, that the paint or other covering be of the same or similar color as the surface upon which the graffiti was made.

Section 2.

Section 23-23.1 of Chapter 28 of the Town Code is hereby amended as follows:

§ 28-23.1. Graffiti; defacement of property.

A. It shall be unlawful to spray or create graffiti in any manner on any building or structure.

B. It shall be the responsibility of any person owning or occupying any building or structure which has been defaced with graffiti to cause such graffiti to be removed or covered over. **When a covering is used, the cover must be the same or similar color as the surface upon which the graffiti was made.** Responsibility for removal or covering of graffiti shall lie with the owner or occupant, notwithstanding that said person may not have created the graffiti.

C. Any person who creates graffiti in any manner shall be liable for the cost of removing or covering the same.

Section 3.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this article or in its application to the person or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 4.

This Local Law shall take effect upon filing with the Secretary of State.