

**CITY OF WASILLA
ORDINANCE SERIAL NO. 10-30**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL ADOPTING CHAPTER 9.24,
VANDALISM.**

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Adoption of Chapter. WMC 9.24, Vandalism, is adopted to read as follows:

9.24.010 Definitions.

When used in this chapter, the following words or phrases shall have the meanings set forth in this section:

“Vandalism” means the intentional and malicious destruction, defacing of or damage to property of another.

9.24.020 Vandalism.

A. It shall be unlawful for any person to intentionally commit any act of vandalism to public or private property of another without the express permission of the owner of such property.

B. Vandalism on any public or private property visible from any public right-of-way, including but not limited to any street, highway, road, alley or walkway, may be declared a public nuisance. The city shall give notice to the property owner requesting the owner to remove or cause to be removed such vandalism.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

9.24.030 Parental civil liability.

Any act in violation of this chapter committed by a minor under the age of 18 years, shall be imputed to that minor's parent or legal guardian. A parent or legal guardian of a minor who violates this chapter shall be liable for the payment of any civil fine and the expense of restoration as provided by Chapter 1.20.

9.24.040 Remedies and penalties.

A. Remedies and penalties for violations of this chapter are as provided in Chapter 1.20.

B. Violators of this chapter shall repay the property owner or city the costs to restore the value of the property, including labor costs. Failure to comply with ordered removal or payment of costs shall create a cause of action that can be enforced in a civil suit.

C. Any person who commits a violation of this chapter shall be punished by a fine of not more than \$500 for each violation.

D. Any person, including the city, may seek appropriate injunctive relief for the enforcement of this chapter, its penalties and remedial provisions, including but not limited to actions for abatement, prevention of violations, and enforcement of all remedial and preventive provisions of this section as may be appropriate.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]

Section 3. Amendment of subsection. WMC 1.20.030.C, Disposition of scheduled offenses – Fine Schedule, is amended by adding a table entry for WMC 9.24.020, as follows:

CODE SECTION	DESCRIPTION OF OFFENSE	FINE
<u>WMC 9.24.020</u>	<u>Vandalism per violation</u>	<u>\$500</u>

Section 4. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on September 27, 2010.



 VERNE E. RUPRIGHT, Mayor

ATTEST:



 KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

VOTE: Harris, Holler, Larson, Luburger and Woodruff in favor. Katkus absent.

Bold and underline added. [CAPS AND BRACKETS, DELETED.]



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

**ORDINANCE SERIAL No. 10-30: A ORDINANCE OF THE WASILLA CITY COUNCIL
ADOPTING CHAPTER 9.24, VANDALISM.**

Agenda of: September 13, 2010
Originator: Public Works Director

Date: August 31, 2010

Route to:	Department	Signature/Date
X	Police Chief	<i>M. S. [Signature]</i>
X	City Attorney	<i>R. K. Payne</i>
X	Finance Director	<i>[Signature] 9/2/2010</i>
X	Interim Deputy Administrator	<i>[Signature]</i>
X	Public Works Director	<i>[Signature] 9/1/10</i>
X	City Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR VERNE E. RUPRIGHT: *[Signature]*

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

Attachments: None

SUMMARY STATEMENT: The administration is proposing this addition to the Wasilla Municipal Code to provide law enforcement to seek penalties for vandalism of public and private property. The ordinance also declares vandalism a public nuisance and provides the means to request property owners to remove or cause to be removed such vandalism.

STAFF RECOMMENDATION: Approve the adoption of Ordinance Serial Number 10-30 adopting Chapter 9.24, Vandalism.