CITY OF LOGAN, UTAH
ORDINANCE NO. 06-60

ADOPTING AN ORDINANCE PROHIBITING THE POSSESSION OF GRAFFITI MATERIALS

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN AS FOLLOWS:

SECTION 1: Section 9.28.170, Possession of Graffiti Materials, is hereby added to read as follows:


A. For purposes of this section “Graffiti Materials” means any paint, spray paint, broad-tipped marking pen (a pen with a tip that exceeds ¼ inch in width), glass cutting tool, glass etching tool, or any other articles adapted, designed or commonly used for committing or facilitating the commission of an offense involving damaging, defacing, or destroying public or private property.

B. A person is guilty of possession of graffiti materials if:

1. Any person possesses these materials while involved in the commission of, or in the attempt to commit a Criminal Mischief.

2. Any person that has in his or her possession any graffiti material while in any public park, playground, swimming pool, recreational facility, underpass, bridge abutment, storm drain, or other similar type of infrastructure, owned by or within the City of Logan.

3. Any person under the age of eighteen possesses these materials while on any private property unless the owner, agent, manager, or person in possession of the property knows of the minor’s possession, and has consented to the minor’s possession while on his or her property.

C. A violation of this section is a Class B Misdemeanor.

D. It is a defense to prosecution under this section if:

1. The person is within their own home.
2. The person is an authorized employee, agent or contractor of the City of Logan.
3. The minor is in the presence of a parent or legal guardian.
4. The minor is at their place of employment and under the direction of their immediate supervisor.
5. The minor is at school and under the direction of a school employee.

SECTION 2: This ordinance shall become effective immediately upon publication.
PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS 15
day of Aug., 2006 by the following vote:
Ayes: [Signature]
Nays: [Signature]
Absent: [Signature]

Stephen C. Thompson, Chairman

ATTEST:

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 15th day of Aug., 2006.

Stephen C. Thompson

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby [Signature] approved this 16th day of Aug., 2006.

Randy Watts, Mayor