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TO:	CHAIR AND MEMBERS PUBLIC SAFETY COMMITTEE MEETING ON MARCH 6, 2012
FROM:	MARTIN HAYWARD CITY TREASURER, CHIEF FINANCIAL OFFICER
SUBJECT	DOWNTOWN MURAL PILOT PROGRAM TO PREVENT GRAFFITI

RECOMMENDATION

That, on the recommendation of the City Treasurer, Chief Financial Officer, in consultation with Downtown London, this report on the development of a Downtown Mural Pilot Program to prevent graffiti **BE RECEIVED FOR INFORMATION.**

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Sale of Graffiti Implements By-law, March 26, 2006 – CPSC
 Graffiti Strategy – February 26, 2007, May 28, 2007 - CPSC
 Graffiti tracking initiative, April 12, 2011 – CNC
 A Preventative Anti-Graffiti Pilot Program in the Downtown, January 24, 2012 - PSC

BACKGROUND

At the January 31, 2012 meeting of Council the following resolution was passed:

“That on the recommendation of the City Treasurer, Chief Financial Officer and Director of Building Controls, Chief Building Official, the following actions be taken with respect to the development of a preventative anti-graffiti pilot program in the downtown:

- a) *Civic Administration BE DIRECTED to work with Downtown London to develop a preventative anti-graffiti pilot program in the downtown; and,*
- b) *the current by-law which addresses graffiti, BE REVIEWED with a focus on differentiating between graffiti and “commissioned with permission” art murals.”*

PROPOSED DOWNTOWN ART MURAL PILOT PROGRAM APPROACH

It has been well documented that art murals are not normally destroyed by graffiti tagging. The intent of this pilot program is to work with Downtown London and the arts community to implement this art mural program in areas of the downtown experiencing a high incidence of graffiti vandalism. Art murals will enhance beautification, support local arts, encourage youth and potentially promote key events in the downtown area.

Downtown London is partnering with Civic Administration to develop this Pilot Program. Because of the nature of graffiti, a coordinated, consistent and multi-faceted approach is required to address this issue.

It should be noted that there is a distinction between the City’s Public Art, which applies to artworks placed on public property, and this downtown Art Mural Pilot Program which applies to artworks placed on private property. A building owner who is interested in placing a mural on



their own private property has the autonomy to decide whether or not to participate in a private property downtown Art Mural Pilot Program. Downtown London and the City can only encourage private owners to participate with this proposed process.

The proposed approach is to put together a Downtown London Project Group to oversee the development of the following components of this Pilot Program:

- An inventory of existing art murals located in the downtown;
- Identification of locations that are being tagged with graffiti;
- Identification of potential new art mural locations in the downtown;
- The development of a proactive process to pre-approve art mural designs on private property through the use of a Peer Review Panel, who would use agreed upon guidelines to determine if an art mural should be permitted;
- Proactive education of building owners, artists and the public about the new process;
- Potentially pilot the process with a downtown private building owner, who is proposing to work with an artist they have selected, to evaluate the success of the process.

The Proactive Process to Approve Art Murals

Registration Process

Downtown London will oversee this pilot program to register sanctioned art murals in the downtown. In order to ensure that a proposed art mural meets the intent of this pilot, a Peer Review Panel is required to review a proposed art mural submitted to Downtown London. An Art mural submission of a proposed mural by an artist who is working with a downtown private building owner will include (but not be limited to): the proposed location of the art mural; permission in writing from the building owner agreeing to the registration of the art mural; a sketch of the proposed art mural; and a list of artists who will be painting the mural. A Peer Review Panel coordinated by Downtown London would review the proposed art mural submission against set guidelines yet to be developed, which might include:

- consideration for a variety of artistic styles (including stencil, wild style, bubble) within an art mural depicting a theme or scene;
- the parameters on the size of the artist's signatures on the art mural;
- mural maintenance requirements;
- compliance with existing codes and by-law regulations including the definition of an art mural in the Property Standards by-law.

Circulation of the Recommended Successful Registration to Technical Resources

The recommended art mural registration from the Peer Review Panel would then be submitted by Downtown London to the following technical resource staff for advisory comments:

- By-law Enforcement – for property standards and sign by-law compliance;
- Heritage Planner – for compliance if property has a heritage description; and,

The comments of the Technical Resources will focus on their areas of expertise, and not on the artistic merit of the art mural. The Peer Review Panel will make the final decision about whether or not the art mural will proceed.

Downtown London will continue to provide the London Police, COR Unit with a list of the murals that have been registered with Downtown London, for their information.

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PROPOSED AMENDMENT TO CITY BY-LAWS

The City's Property Standards By-law addresses graffiti as part of the exterior surfaces maintenance provision, which directs that the City may take appropriate measures to remove any defacement on exterior surfaces of buildings. Generally, City property standards inspectors become involved in dealing with graffiti issues upon receipt of a complaint. The process involves undertaking a site inspection and issuing an Order requesting that the graffiti be removed within a specified period (normally 2 weeks or shorter if graffiti is hate related). In the majority of cases, graffiti in London is removed by the property owner. Under the provisions of the Building Code Act, the Provincial legislative authority for the Property Standards By-law, the City has the authority to enter the private property and remove the graffiti. The costs of such removal may be added to the municipal property taxes. In some cases, where the graffiti is not removed, the City through private contractors, removes the graffiti and forwards the invoice to the property owner.

Civic Administration is proposing by-law amendments in a separate report to be submitted to the Public Safety Committee, to permit sanctioned art murals as an anti-graffiti initiative. By-laws in Hamilton, Toronto and Barrie were researched and their definitions extracted for use in London's By-law, as murals in those communities are playing a large role in their anti graffiti management plans. The proposed definition of a mural will focus on depicting a scene or theme for a designated surface and location that has been approved including by the property owner and deliberately implemented for the purposes of beautifying the specific location.

CONCLUSION

The Culture Office and Downtown London will report back to this Committee with more detail about the development of this Downtown Mural Program including potentially identifying partnerships, incentives and sources of financing for this pilot.

PREPARED BY:	RECOMMENDED BY:
ROBIN ARMISTEAD, MANAGER CULTURE AND MUNICIPAL POLICY	MARTIN HAYWARD CITY TREASURER, CHIEF FINANCIAL OFFICER

CC: Downtown London
London Police Service – COR Unit