

MUNICIPALITY OF MONROEVILLE  
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1797

AN ORDINANCE OF THE MUNICIPALITY OF  
MONROEVILLE, ALLEGHENY COUNTY,  
PROHIBITING THE DESTRUCTION, DAMAGE,  
OR DEFACING OF PUBLIC OR PRIVATE  
PROPERTY AND PROVIDING PENALTIES FOR  
THE VIOLATION THEREOF.

WHEREAS, The Municipal Council of the Municipality of  
Monroeville, desires to prohibit the destruction, damage or  
defacing of any public or private property in order to protect the  
public health, safety and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council  
of the Municipality of Monroeville and it is hereby ordained and  
enacted by the Authority of the same as follows:

SECTION 1. PROHIBITED CONDUCT

A. No person shall destroy, damage or deface in any  
way, public or private property, whether occupied, vacant and/or  
abandoned, including but not limited to any:

1. public or private  
buildings, fences or  
trees;

2. public street lights, fire hydrants, pumps, fountains, inlets, manholes or sewer ventilators;
3. telephone or telegraph wires or electric wires of any kind, or the poles sustaining or attaching them;
4. statues, monuments or plaques;
5. official notices or signs posted by the Commonwealth, the Board of Public Education, the County, the Municipality or any other public agency.

B. In the event the prohibited conduct is a violation of Pennsylvania Statute, 18 P.S. Section 3304 Criminal Mischief, 18 P.S. Section 3307 Institutional Vandalism, or 18 P.S. Section 5509 Desecration of Venerated Objects, such Pennsylvania Statutes shall supersede this Ordinance.

SECTION 2. DUTY TO REMOVE

A. Any owner, agent or trustee of any industrial, commercial or residential property, which property shall have been defaced by the affixing of obscene or improper matter or signs, symbols or language of the kind in the category commonly known as graffiti shall, upon notification from the Municipality, remove such obscene or improper matter or signs, symbols or language

within a period not to exceed ninety days. Each day such condition continues beyond the ninetieth day shall constitute a separate offense.

B. In the event of multiple violations of this Section by the same property owner, through the repeated affixing of graffiti after the removal of previously affixed graffiti by the property owner, a Magistrate, in imposing penalty, may consider such circumstances along with financial hardship suffered by said property owner.

SECTION 3. SALE OR TRANSFER OF SPRAY PAINT  
CONTAINERS, INDELIBLE MARKERS,  
AND OTHER MATERIALS USED FOR  
GRAFFITI PURPOSES

No person shall knowingly sell or otherwise transfer any spray paint container, indelible marker, or other materials used for graffiti purposes, to any person for the purpose of having said spray paint container or indelible marker or other materials used in violation of any of the provisions of this Ordinance.

SECTION 4. PENALTIES

A. Any person violating the provisions of this Ordinance shall upon conviction thereof, be fined not more than \$1,000.00 plus costs. In default of payment of such fines and costs, such persons shall be imprisoned for not more than thirty days.

B. In lieu of making a disposition, a Magistrate may with the agreement of the Municipal Officer issuing the citation, admit any person charged with violating the provisions of this Ordinance to an adjudication alternative program of community service up to 100 hours, with a nonprofit agency within the Municipality.

C. In addition, the conditions of the adjudication alternative program may include the imposition of costs and restitution, the imposition of a reasonable charge relating to the expense of administering the program and other conditions agreed upon by the offender and Municipal officer. If said offender refuses to accept the conditions imposed or fails to complete the program without good cause, the Magistrate shall proceed on the charges as provided by law.

D. In any proceeding where a person under the age of 18 years is found to violate the provisions of this Ordinance, the Magistrate shall ascertain the amount sufficient to fully reimburse any party or parties who has or have suffered damages because of the act of the child, and direct the parents of said child to pay restitution to the victim or victims in an amount not to exceed the maximum amount permissible under existing state law.


SECTION 4.


Any Ordinance or Resolution or part of an Ordinance or Resolution in conflict herewith is hereby repealed to the extent of said conflict.

ORDAINED OR ENACTED INTO LAW this 12th day of \_\_\_\_\_  
May, 1992.

ATTEST:

THE MUNICIPALITY OF MONROEVILLE

  
\_\_\_\_\_  
Joseph G. Brimmeier  
Municipal Manager

  
\_\_\_\_\_  
Thomas R. Schuerger  
Mayor

ENTERED INTO LEGAL BOOK ON: May 22, 1992