

**Chapter 156**

**GRAFFITI**

**§ 156-1. Findings; purpose.**

**§ 156-2. Definitions.**

**§ 156-3. Prohibited acts.**

**§ 156-4. Violations and penalties.**

**[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge 12-20-1993 as Ord. No. 93-25. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Property maintenance — See Ch. 198.

**§ 156-1. Findings; purpose.**

Graffiti on buildings and tangible personal property has resulted in damage and defacing of public and private property and has contributed to the degradation and blight of neighborhoods and private and public places and facilities. The easy application and accessibility of spray paint and indelible markers has facilitated their misuse and hinders enforcement agencies in prevention and apprehension.

**§ 156-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**GRAFFITI** — Any letters, numbers, word or words, writing, inscription, symbol, drawing, carving, etching or other marking of any nature whatsoever, which defaces,

obliterates, covers, alters, damages, mars or destroys the real or personal property of another. It shall not include the occasional marking of the public sidewalks or streets with chalk for traditional children's games.

**INDELIBLE MARKER** — Any felt tip marker, china marker or similar device or implement that contains a fluid which is not water soluble and which has a flat or angled writing surface one-half (1/2) inch or greater.

**MINOR** — A person under eighteen (18) years of age.

**SPRAY PAINT CONTAINER** — Any container or other device which contains paint or other pigmented substance, which is intended to expel the paint or pigment without the aid of additional devices or substances, and includes an aerosol spray paint can as it is commonly known.

### § 156-3. Prohibited acts.

- A. No person shall, without the prior consent of the owner, place, write, paint, draw, figure, inscribe or mark or cause any graffiti to be placed upon any public property or the real or personal property of another.
- B. No person or entity shall sell, offer for sale or transfer any spray paint container or indelible marker to a minor, unless said minor is accompanied by a parent or legal guardian at the time of the purchase or transfer.
- C. No minor shall knowingly present or furnish false or fraudulent evidence of their age to secure the purchase or transfer of any spray paint container or indelible marker.

### § 156-4. Violations and penalties.

Unless jurisdiction for an offense hereunder shall be vested in the Superior Court of New Jersey, Chancery Division, Family Part, pursuant to N.J.S.A. 2A:20, New Jersey Code of Juvenile

Justice, any person who violates the provisions of this chapter shall, upon conviction, be subject to a fine not to exceed five hundred dollars (\$500.), imprisonment not exceeding forty-five (45) days and, as an additional condition of sentencing a requirement, to restore the property which is the subject of the graffiti or make monetary restitution, in the Court's discretion. Any person, convicted of a second or subsequent violation shall be subject to a fine not exceeding one thousand dollars (\$1,000.), imprisonment not to exceed ninety (90) days or restoration of the property or monetary restitution, all in the discretion of the Court. A separate offense shall be deemed committed on each day on which a violation occurs.