

ORDINANCE NUMBER 128

Repealed by 162 A

AN ORDINANCE PRESCRIBING A METHOD OF DEALING WITH PERSONS WHO VANDALIZE CITY PROPERTY.

WHEREAS the city of Lakeside is experiencing numerous problems in the area of vandalism, a consistent policy for dealing with those who vandalize city property is needed. The following policy and procedure is hereby established.

I. REWARD

A. Upon the adoption of this ordinance, the City will offer a Fifty dollar (\$50.00) reward to any individual who witnesses an act of vandalism against city property and supplies the city with information leading to one or more of the following ends:

1. Arrest and criminal conviction of the vandal.
2. Successful civil action against the vandal and/or the vandal's legal guardian if the vandal is a juvenile.
3. Payment to the city of all costs incurred by the city in connection with the vandalism.

II. NOTIFICATION OF LAW ENFORCEMENT AGENCY.

A. All acts of vandalism against city property will routinely be reported to the appropriate law enforcement agency.

III. ACTION AGAINST THE VANDAL

A. Whenever a witness comes forward with the name of an individual who has committed an act of vandalism against city property, the following actions will be taken:

1. The city will notify the appropriate law enforcement agency.

2. The city will send a registered letter to the individual named (and his or her legal guardian if the individual is a juvenile) containing the following:

- a. Notification that the city has a witness who will testify to the act of vandalism.
- b. Notification that the city will seek both criminal and civil actions against the alleged vandal (and his or her legal guardian if the vandal is a juvenile) unless all damages to the city are paid in full within ten days.
- c. A list of damages to the city

including:

(1) Cost of all materials necessary to repair or replace that which was vandalized.

(2) Cost of all labor necessary to repair or replace that which was vandalized.

(3) Cost of any reward due to witness.

d. IF payment is made in full to the city, within ten days, all criminal charges made by the city may be dropped.

IV. CRIMINAL AND CIVIL ACTION

A. IF the alleged vandal (or his or her legal guardian) refuses to make payment to the city within ten days the city shall seek the advice of the City Attorney, and subject to his advice may take any or all of the following actions:

1. Seek criminal action against the alleged vandal and/or his or her legal guardian.

2. Seek civil action against the alleged vandal and/or his or her legal guardian.

Such action may include:

a. All labor and material costs incurred by the city.

b. All reward costs incurred by the city.

c. All legal fees incurred by the city.

d. Any other legal remedy.

The forgoing Ordinance was duly adopted by the Lakeside City Council on November 19, 1987; effective December 19, 1987.

ATTEST:

Bruce N. Stennett  
Bruce N. Stennett, Administrator/Recorder

APPROVED:

Pat Bernier 12-2-87  
Pat Bernier, Mayor Date

The vote was: Yeas 5 Nays 2 Absent 0