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**TITLE:** By-law Regarding Graffiti and Graffiti Removal in the Town of Amherst  
**SECTION:** Protective Services  
**BYLAW NO:** C-14

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**APPROVAL DATE:** June 22, 2026

**CAO Signature:** 

This by-law shall be known as and may be cited as the Graffiti By-Law.

### Interpretation

1. In this by-law all words have the usual meaning from dictionaries of the English language except for the following:

- a. **"Art Mural"** A mural commissioned or approved prior to its creation by a property owner or occupant, where the primary purpose is to aesthetically enhance the surface it covers and the general surroundings;
- b. **"Graffiti"** means one or more letters, symbols or marks, howsoever made, on any structure or thing but does not include marks made accidentally or any of the following:
  - i. a sign, public notice or traffic control mark authorized by the Town Engineer or Traffic Authority
  - ii. a sign authorized pursuant to an existing Town By-Law, the Nova Scotia Motor Vehicle Act or other applicable laws/statutes;
  - iii. a public notice authorized by a Town by-law or by Provincial or Federal legislation;
  - iv. in the case of real property, a letter, symbol or mark for which the owner or tenant of the real property on which the letter, symbol or mark appears has given prior, written authorization;
- c. **"Hate-Based Graffiti"** includes drawings or messages that convey political, racial, misogynistic, religious or ethnic slurs;
- d. **"Occupant"** includes a lessee or person in possession of the property who, under the terms of a lease, is required to repair and maintain the property;
- e. **"Offensive Graffiti"** includes drawings or messages that are lewd, indecent, obscene or contain profane, vulgar or offensive language;
- f. **"Owner"** includes the person for the time being managing or receiving the rent for the land, premises, structure, or thing in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land, premises, structure, or thing were let;
- g. **"Property"** means a building or structure or land or part of a building or structure or land, and includes all vehicles, mobile structures, outbuildings, fences, erections thereon whether heretofore or hereafter erected, and any other things on the property;
- h. **"Public Place"** means a place to which the public has access, as of right or by invitation, expressed or implied;
- i. **"Town"** means the Municipality of the Town of Amherst

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## **Enforcement**

2. No person shall place graffiti, or cause graffiti to be placed on any structure, vegetation or thing in a street or other public place.
3. No person shall place graffiti, or cause graffiti to be placed on any structure, vegetation or thing on real property adjacent to a street or other public place, including railway tracks.
4. No owner or occupier of real property adjacent to a street or other public place shall permit graffiti to be placed on any structure, vegetation or thing on that real property.
5. The owner or occupant of property shall maintain the property free of graffiti vandalism.
6. Every owner or occupier of real property must remove from that real property any unsightly accumulation of graffiti within 15 days after written notification is received from the Town.
7. Graffiti deemed to be offensive or hate-based must be removed within 24 hours after written notification is received from the Town.
8. If an owner defaults in removing any unsightly accumulation of graffiti in compliance with section 6 & 7 and the notice referred to therein, the Town, by its workers or others, may enter the real property and effect such removal at the cost of the defaulting owner.
9. If an owner defaults in paying to the Town, within 30 days after receipt of demand for payment from the Town, the cost referred to in sections 6 & 7, the Town may recover from the owner, in any court of competent jurisdiction, the cost as a debt due to the Town, or direct that the amount of the cost, after certification by the Director of Finance, be inserted in the real-property tax roll as a charge imposed with respect to the real property in respect of which the Town incurred the cost.
10. Service upon an owner of the notice referred to in sections 6 & 7 or the demand referred to in section 8 will be sufficient if the Town mails the notice by prepaid registered post to the address shown on the current year's real-property assessment roll for the real property on which the graffiti is located. Written notice may also be served in person by a representative of the Town, a By-Law Officer or a Police Officer.

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11. Every person who offends against any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act or thing which violates any of the provisions of this by-law, shall be deemed to be guilty of an infraction of this by-law, and shall be liable to penalties hereby imposed.
12. Every person who commits an offence against a provision of this By-law is liable to a fine and penalty of not less than \$250.00 for any offence under this By-law, except for an offence under sections 2, 3, 4 or 5 in respect of which the fine and penalty will be not less than \$500.00, and not more than \$10,000.00 for each offence.
13. Any contravention of any provision of this By-law, in the preceding twelve months by any person charged, shall be counted as a previous contravention for the purpose of the preceding paragraphs.
14. If payment is not made in accordance with these procedures, the fine is recoverable under the *Summary Proceedings Act*.

#### **Costs**

15. In all cases the Town shall have the right to recover from the owner the cost incurred by the Town in applying this by-law to the owner.
16. In all cases the costs of the Town shall include the actual payments made by the Town, together with its reasonable administrative charges.
17. The provisions of this by-law shall be enforceable pursuant to the *Municipal Government Act*.

#### **Interpretation**

18. This by-law shall be read with all changes in gender and number, as may be appropriate.
19. Any part of this by-law found to be illegal shall be severed from the balance of the by-law.

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## A Notice Under the Town of Amherst Graffiti By-Law

In accordance with Sections 6 & 7 of the Town of Amherst Graffiti By-Law, you are hereby notified that *graffiti*, as defined in Section 2 of the By-law has been confirmed on the property located at:  
\_\_\_\_\_, Amherst, Nova Scotia

(Civic Address)

### **Section 2 defines graffiti as:**

One or more letters, symbols or marks, howsoever made, on any structure or thing but does not include marks made accidentally or any of the following:

- a sign, public notice or traffic control mark authorized by the Town Engineer or Traffic Authority*
- a sign authorized pursuant to an existing Town By-Law, the Nova Scotia Motor Vehicle Act or other applicable laws/statutes;*
- a public notice authorized by a town by-law or by Provincial or Federal legislation;*
- in the case of real property, a letter, symbol or mark for which the owner or tenant of the real property on which the letter, symbol or mark appears has given prior, written authorization;*

### **Owner is defined as**

*the person for the time being managing or receiving the rent for the land, premises, structure, or thing in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land, premises, structure, or thing were let;*

As owner of the aforementioned property, you are hereby notified that under Sections 6 & 7 of the Graffiti By-Law, Graffiti must be removed within 15 days of notice and offensive or hate-based graffiti must be removed within 24 hours of notice.

Failing to remove the accumulation of graffiti as per these sections, the Town, by its workers or others, may enter the real property and effect such removal at the cost of the defaulting owner as per section 8 of the By-Law.

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For Administrative Use Only:

By-law Regarding Graffiti and Graffiti Removal in the Town of Amherst C-14 Adoption	
<b>First reading:</b>	May 25, 2026
<b>Notice of Intent:</b>	June 5, 2026
<b>Second Reading:</b>	June 22, 2026
<b>Notice of Publication and Effective Date of Bylaw:</b>	June 27, 2026
<b>Notice to Service Nova Scotia &amp; Municipal Relations:</b>	June 29, 2026

## VERSION LOG

By-law Owner	Amendment Description	Council Approval Date
Chief of Police	New By-law	June 22, 2026

Minutes reference date: June 22, 2026