

NOTICE OF INTENT TO ADOPT ORDINANCE

NOTICE IS HEREBY GIVEN that on the 7th day of July, 2008, at its regular meeting at 6:00 p.m., in the City Commission Chambers at City Hall, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance which reads as follows:

AN ORDINANCE ADDING TO SECTION 9.16 OF THE HOBBS MUNICIPAL CODE CONCERNING UNAUTHORIZED GRAFFITI ON PERSONAL OR REAL PROPERTY

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
HOBBS, NEW MEXICO THAT:

9.16.?????. Unauthorized graffiti on personal or real property.

“Unauthorized graffiti” consists of intentionally and maliciously defacing any real or personal property of another with graffiti or other inscribing material inscribed with ink, paint, spray paint, crayon, charcoal or use of any object without the consent or reasonable ground to believe there is consent of the owner of the property when the damage to the property is \$1,000.00 or less.

A. It shall be unlawful for any person to commit the offense of unauthorized graffiti as defined in this section.

B. Whoever commits the offense of unauthorized graffiti is guilty of a petty misdemeanor and shall be punished as provided for by section 1.16.010 herein. In addition to those penalties, a person convicted of unauthorized graffiti shall be required to perform a mandatory 100 hours of community service within a continuous six-month period immediately following the conviction and shall be required to provide restitution to the property owner for the cost of damages and restoration.

C. When a single occurrence of unauthorized graffiti is committed by more than one individual, the court may apportion the amount of restitution owed by each offender in accordance with each offender’s degree of culpability.

Copies of the proposed ordinance in its entirety are available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico, and also available online at www.hobbsnm.org.

/s/ Jan Fletcher
City Clerk