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# CITY OF CHICAGO

# RULES

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## GRAFFITI/MURAL REGISTRY RULES

Last Updated: April 2019



CHICAGO DEPARTMENT OF  
**DCASE**  
CULTURAL AFFAIRS & SPECIAL EVENTS

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Mayor Rahm Emanuel

Commissioner Mark Kelly

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BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF CULTURAL AFFAIRS AND SPECIAL EVENTS PURSUANT TO SECTION 2-28-030(b) and SECTION 7-28-065 OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES REGARDING GRAFFITI REGISTRATION AND PROTECTION ARE HEREBY ADOPTED.

By Order of the Commissioner:

Signed: Mark Kelly  
Commissioner Mark Kelly

Date: 4/16/2019

Published: 4/16/2019

Effective: 4/3/2019

## **Rules for Graffiti Registration and Protection**

The Commissioner of Cultural Affairs and Special Events hereby issues the following rules for graffiti registration and protection. These Rules are promulgated pursuant to Sections 2-28-030(b) and 7-28-065 of the Municipal Code of Chicago (the "Code"). The City will label and protect graffiti that is registered and maintained in conformity with these Rules.

### **Section 1 Definitions**

Terms used in these Rules that are defined in Section 7-28-065 of the Code shall bear those definitions. In addition, the following terms are defined for the purposes of these Rules:

"Commissioner" means the Commissioner of Cultural Affairs and Special Events or his designee.

"DCASE" means the City of Chicago Department of Cultural Affairs and Special Events.

"Owner" means any person who alone, jointly, or severally with others has legal title to or is in charge, care, or control of any building or structure.

### **Section 2 Graffiti Registry and Emblem**

#### **2.1 Graffiti Registry**

DCASE shall establish, update, and maintain a registry of all protected graffiti. The registry shall include a photo or drawing of the graffiti, the address where the graffiti is located, and, if necessary, other information that may be helpful in identifying the graffiti and its location. This registry shall be updated monthly.

Works registered with DCASE before the issuance of these Rules shall be protected under these Rules, included in the graffiti registry, and marked with the appropriate DCASE symbol.

The Commissioner may publish the registry or make it available electronically or both.

#### **2.2 Emblem**

DCASE shall develop and apply to all registered graffiti a distinctive emblem to indicate that the graffiti is registered with the Department.

The presence of the emblem shall serve to give notice that the graffiti is on the graffiti registry and, as a result, protected from removal.

### **Section 3 Application**

#### **3.1 Availability**

DCASE shall make available an application for registering graffiti. The application shall contain instructions conveying the process and require:

- (a) The name of the owner;
- (b) The mailing address, telephone number, and email address of the owner;
- (c) The address of the building or structure where the graffiti is located;
- (d) A description of the building or structure and its primary use; and
- (e) A photograph or detailed drawing of the graffiti.

### **3.2 Eligibility and Process**

(a) Any owner may apply to DCASE to register graffiti by submitting a completed application and either a picture of the graffiti or a drawing of the proposed graffiti.

(b) The Commissioner may accept applications for, and register graffiti on, City-owned property.

## **Section 4 Requirements and Exclusions**

### **4.1 Considerations**

In deciding whether to grant protection of graffiti, the Commissioner shall review all applications and consider relevant factors, including, but not limited to, (a) the visual impact of the graffiti on surrounding buildings, including whether the graffiti will block light or sightlines of building occupants, (b) the size of the graffiti, (c) the relevant geography and character of the area, (d) the measures the applicant proposes to ensure the safety and durability of the graffiti, (e) whether the proposed graffiti poses any potential traffic or other public way safety concerns, (f) the viewpoint of the affected community with regard to the proposed graffiti, (g) whether the impact and meaning of the graffiti is consistent with the values of the community and City, (h) whether the graffiti contains one of the below excluding factors in Section 4.2.

### **4.2 Exclusions**

Applications will not be granted in the following instances:

- (a) The graffiti depicts a sign requiring permits under Code Section 13-20-550.
- (b) The graffiti contains known gang symbols or depicts an unreasonable or offensive act, utterance, gesture or display that creates a clear and present danger of a breach of the peace or imminent threat of violence.
- (c) The graffiti depicts material harmful to minors in violation of Code Section 8-8-110.

## **Section 5 Removal of Registered Graffiti Designation**

Owners who wish to remove graffiti from the DCASE registry are encouraged to notify DCASE at least seven days before removing the registered graffiti so that DCASE can update the registry.

DCASE may remove from the registry graffiti that has been damaged (e.g., through vandalism or weather) or is changed or understood to include an exclusionary element from Section 4. If the graffiti is on private property, DCASE shall

send the owner notice of the imminent delisting at least fourteen days prior to removing the graffiti from the registry.

**Section 6 City Responsibility**

The City shall have no duty to maintain registered graffiti or protect it against vandalism. Registration of graffiti shall be voidable and the Department of Streets and Sanitation may cover or remove registered graffiti, in accordance with the Code, if conditions requiring this step occur. For example, if weather, time, or vandalism damage the registered graffiti to the point that it falls within the exclusions established by these Rules or is significantly modified from the approved image, the registered graffiti may be covered or removed in whole or in part.