City Council Agenda Item Request

Submit to Clerk's Office
No later than 30 days before proposed Council meeting

1. **Date submitted to Clerk's Office:** 2/10/2026

2. **Primary contact person and Department requesting agenda item:** Legal - Carly Gillinham; Public Works – Amy Deyton (Director, Public Works)

3. **Requested Council meeting date:** 4/14/2026 - First Reading - Second and Final Reading 4/28/26

4. **Subject:** Revision to Chapter 10 of the Asheville Code of Ordinances to Amend Article VI, Regulation of Graffiti

5. **Action Requested:** Adoption of an ordinance amending Article VI, Regulation of Graffiti, of Chapter 10, Nuisances, of the Asheville Code of Ordinances to Amend the Definition of Graffiti

6. **Note if time sensitive, and why:** N/A

7. **Potential fiscal impact(s) - if known by staff at time of request:**
    - May reduce staff time and material costs associated with addressing temporary, easily removable graffiti

8. **Identify all vendor outreach for Minority & Women Owned Business Enterprises (MWBE).**
    - N/A

9. **Identify all Boards, Commissions and Council Committees with tentative dates - add in the vote and recommendation from each Board:**
    - Public Safety Committee - March 26 - *2-0 approval to move forward to City Council*

10. **Identify key issues:**
    - Sections 10-110 through 10-115 of the Code of Ordinances regulate graffiti as a public nuisance.
    - Currently, the definition of graffiti in Section 10-110 includes temporary, easily removable chalk and other water soluble materials unless used "in connection with traditional children's activities" or "any lawful business or public purpose or activity."
    - City Council members and City staff have expressed interest in easing restrictions on street and sidewalk chalk. Staff is interested in continuing to regulate some chalk as graffiti, including industrial strength forms of chalk that are more permanent than sidewalk chalk; chalk graffiti placed on surfaces other than streets and sidewalks, such as vertical walls, sitting surfaces, and monuments; and chalk graffiti that may pose a public safety risk.
    - Proposed amendment would modify the definition of "graffiti" to align with above.