

ORDINANCE NO. 122

AN ORDINANCE OF THE CITY OF SAN LUIS, ARIZONA REGULATING THE SALE, MANUFACTURE, POSSESSION, EXCHANGE OR USE OF SPRAY PAINT; MAKING THE SAME UNLAWFUL AND PROVIDING THE PENALTY FOR VIOLATION

WHEREAS, the defacing of buildings and structures with the use of spray paint has created a public nuisance, outraged the citizens of San Luis, and has cost the City and its citizens an inordinate amount of time and money in their attempt to eliminate this blight on the City; and

WHEREAS, despite increased efforts by the police and others in an attempt to control the same, the efforts have been unsuccessful.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AS FOLLOWS:

SECTION 1. The sale, purchase, manufacture, possession, exchange, or use of spray paint is unlawful, except as otherwise provided by this ordinance.

SECTION 2. Spray paint is defined as any quantity of paint contained in a can or other receptacle equipped with a nozzle for dispensing the paint, which is manufactured as a part of the can or receptacle. Paint contained in a sprayer attached to a separate air compressor commonly used by painters is not included in the definition of spray paint.

SECTION 3. Any resident over the age of 21 years may make application for a permit for the use of spray paint. The application shall include the following information:

1. The name and address of the person making the application.

2. The quantity of paint requested, and the specific purpose for the use of the paint.

3. The length of time necessary to use the paint, not to exceed seven days.

4. Upon presentation of a properly executed permit, merchants in San Luis are authorized to sell to the person named in the permit the quantity of paint allowed by the permit.

5. All persons selling spray paint shall keep the paint in a secure area, and unavailable to the public.

6. The permit shall expire seven days after issuance, at which time the Applicant shall turn in all cans of paint used or unused included in the permit.

SECTION 4. Violation of this ordinance shall be a Class 2 Misdemeanor, punishable in accordance with the Arizona Revised Statutes.

Pg. 2  
Ord. 122

PASSED AND ADOPTED by the Mayor and Council of the City  
of San Luis, Arizona, this 9th day of August, 1995.

  
\_\_\_\_\_  
Miguel A. Lopez, Mayor

Attest:

  
\_\_\_\_\_  
Victor M. Stevens, City Manager

Approved as to form:

  
\_\_\_\_\_  
Robert Clarke, City Attorney