

NEWS RELEASE

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City pursues civil action against prolific graffiti vandal

Summary

In 2020, approximately 450 acts of vandalism, by way of the "KHAOS" graffiti tag, were found on railway trestles, dumpsters, underpasses, utility poles and boxes, transit infrastructure and buildings.

The City of Nanaimo began civil action against the tagger in January 2021, which included obtaining a court-issued order to cease the prolific acts of vandalism around the community and seek financial damages for repairs and other costs associated with the vandalism. A settlement was reached with the filing of a Consent Order in the Supreme Court of British Columbia in August, 2021. The Order requires the tagger (defendant) to:

- Not possess spray paint for two years;
- Attend counselling or therapy sessions;
- Remove all of their tags on public property;
- Pay \$10,000 in fines to the City of Nanaimo;
- Pay \$5,475 to the City for damages; and,
- Provide an apology to citizens of Nanaimo and Mayor and Council.

Unsolicited graffiti is a form of vandalism that causes damage to private and public property. It can also impact the look, feel, and perception of an area. Nanaimo City Council will take the necessary action required to prevent prolific acts of graffiti vandalism.

Strategic Link: Linkage to governance excellence and livability.

Key Points

- In 2020, a graffiti vandal applied 450 tags with the moniker "KHAOS" across the City on railway trestles, dumpsters, underpasses, utility poles and boxes, transit infrastructure and buildings.
- The offender responsible for this intentional desecration of public and private property was arrested and identified in April 2020 when a citizen observed the tagger applying tags to multiple surfaces near Terminal Park Mall and contacted police.
- Council authorized legal action seeking cost recovery and injunctive relief when it was determined that the tagger continued to vandalize private and public property around the community after the charges were stayed.
- Civil action was initiated against the tagger in January 2021 to restrain the tagger from further graffiti offences and to recover damages from his past acts of vandalism. The litigation was brought to conclusion in August 2021 with a Consent Order being filed in the Supreme Court of British Columbia.

Quotes

"The City of Nanaimo is committed to taking appropriate measures to prevent and remove graffiti on public property, and to holding offenders accountable for the desecration of public and private property."

Leonard Krog
Mayor of Nanaimo

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