

**Effective: September 1, 2009**

Vernon's Texas Statutes and Codes Annotated [Currentness](#)

Local Government Code ([Refs & Annos](#))

Title 7. Regulation of Land Use, Structures, Businesses, and Related Activities

▣ [Subtitle C](#). Regulatory Authority Applying to More Than One Type of Local Government

▣ [Chapter 250](#). Miscellaneous Regulatory Authority of Municipalities and Counties

→ **§ 250.006. Graffiti Removal**

(a) Except as provided by Subsection (h), a county by order or a municipality by ordinance may require the owner of property within the jurisdiction of the county or municipality to remove graffiti from the owner's property on receipt of notice from the county or municipality.

(b) The order or ordinance must provide that a county or municipality may not give notice to a property owner under Subsection (a) unless:

(1) the county or municipality has offered to remove the graffiti from the owner's property free of charge; and

(2) the property owner has refused the offer.

(c) The order or ordinance must require a property owner to remove the graffiti on or before the 15th day after the date the property owner receives notice under Subsection (a). If the property owner fails to remove the graffiti on or before the 15th day after the date of receipt of the notice, the county or municipality may remove the graffiti and charge the expenses of removal to the property owner in accordance with a fee schedule adopted by the county or municipality.

(d) The notice required by Subsection (a) must be given:

(1) personally to the owner in writing;

(2) by letter sent by certified mail, addressed to the property owner at the property owner's address as contained in the records of the appraisal district in which the property is located; or

(3) if service cannot be obtained under Subdivision (1) or (2):

(A) by publication at least once in a newspaper of general circulation in the county or municipality;

(B) by posting the notice on or near the front door of each building on the property to which

the notice relates; or

(C) by posting the notice on a placard attached to a stake driven into the ground on the property to which the notice relates.

(e) The county or municipality may assess expenses incurred under Subsection (c) against the property on which the work is performed to remove the graffiti.

(f) To obtain a lien against the property for expenses incurred under Subsection (c), the governing body of the county or municipality must file a statement of expenses with the county clerk. The statement of expenses must contain:

- (1) the name of the property owner, if known;
- (2) the legal description of the property; and
- (3) the amount of expenses incurred under Subsection (c).

(g) A lien described by Subsection (f) attaches to the property on the date on which the statement of expenses is filed in the real property records of the county in which the property is located and is subordinate to:

- (1) any previously recorded lien; and
- (2) the rights of a purchaser or lender for value who acquires an interest in the property subject to the lien before the statement of expenses is filed as described by Subsection (f).

(h) An order or ordinance described by this section must include an exception from the requirement that an owner of property remove graffiti from the owner's property if:

- (1) the graffiti is located on transportation infrastructure; and
- (2) the removal of the graffiti would create a hazard for the person performing the removal.

CREDIT(S)

Added by [Acts 2009, 81st Leg., ch. 1130, § 29, eff. Sept. 1, 2009](#).

V. T. C. A., Local Government Code § 250.006, TX LOCAL GOVT § 250.006

Current through the end of the 2009 Regular and First Called Session of the 81st Legislature.

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