

By: Representative Moak

To: County Affairs

HOUSE BILL NO. 115

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY,  
2 BY ORDINANCE, TO ADOPT PROCEDURES WHEREBY COUNTY EMPLOYEES OR  
3 OTHER DESIGNEES OF THE COUNTY MAY ENTER PRIVATE PROPERTY TO COVER  
4 OR REMOVE GRAFFITI THAT IS VISIBLE FROM A PUBLIC RIGHT-OF-WAY; AND  
5 FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) The board of supervisors of any county, in  
8 its discretion, may adopt, by ordinance, procedures pursuant to  
9 which county employees or other designees of the county may enter  
10 private property to cover or remove graffiti that has been placed  
11 upon that property if the graffiti is visible from a public  
12 right-of-way. Any ordinance adopted pursuant to this section must  
13 provide that:

14 (a) Employees or other designees of the county shall  
15 not enter private property to cover or remove graffiti unless:

16 (i) The owner of the private property consents to  
17 the entry for such purpose; or

18 (ii) If the employee or designee is unable to  
19 contact the owner of the private property to obtain his consent,  
20 the board of supervisors first provides the owner of the property  
21 with written notice sent by United States certified mail, return  
22 receipt requested, at least seventy-two (72) hours before the  
23 employee or designee enters the property to cover or remove the  
24 graffiti; and

25 (b) The county shall pay all costs of covering or  
26 removing graffiti under this section.

27 **SECTION 2.** This act shall take effect and be in force from  
28 and after July 1, 2005.