

1 [Public Works Code - Enforcement Against Illegal Dumping]

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3 **Ordinance amending the Public Works Code to authorize the Department of Public**  
4 **Works to recover the City's costs for abating illegal dumping through administrative**  
5 **enforcement proceedings against persons responsible for the illegal dumping; and**  
6 **affirming the Planning Department's determination under the California Environmental**  
7 **Quality Act.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
11 **Board amendment additions** are in double-underlined Arial font.  
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
13 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
14 subsections or parts of tables.

12

13 Be it ordained by the People of the City and County of San Francisco:

14

15 Section 1. General Findings.

16 (a) Every year, the City's 311 system receives an average of 175,000 calls for service  
17 requesting the removal of items and materials illegally dumped on streets, sidewalks, and  
18 other public property. Illegal dumping includes the abandonment and placement of debris,  
19 waste, and other materials on any City property without express written permission of the City,  
20 such as the placement of trash bags on the sidewalk next to a City trash receptacle.

21 (b) The Department of Public Works ("Public Works") responds to approximately 50%  
22 of the illegal dumping complaints received through 311, and the remaining 311 service orders  
23 are directed to Recology based on the type of debris and whether the cleanup requires  
24 specialized equipment.

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1 (c) The City receives illegal dumping-related complaints involving overflowing trash  
2 receptacles, loose trash and debris, and abandoned bulky items across the City. In the  
3 Bayview District alone, Public Works and Recology cleaned up an average of 5,000 pounds of  
4 dumped garbage per day in 2025.

5 (d) Public Works utilizes the City's General Fund, the City's street cleaning funding,  
6 and Public Utilities Commission funding to deploy daily cleanup operations in known illegal  
7 dumping hot spots, while Recology's illegal dumping operations are funded by ratepayers and  
8 cost nearly \$8 million in 2025. In addition, Public Works hosts volunteer cleanup events  
9 throughout the year to help clean up illegal dumping.

10 (e) Currently, the City may recover the cost of abating illegal dumping by filing a  
11 lawsuit against the responsible party. It is in the public interest to create an administrative  
12 enforcement process for recouping the operational costs and resources utilized by the City to  
13 remove illegally dumped waste and other materials from City streets and sidewalks.

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15 Section 2. Environmental Findings.

16 The Planning Department has determined that the actions contemplated in this  
17 ordinance comply with the California Environmental Quality Act (California Public Resources  
18 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
19 Supervisors in File No. \_\_\_\_ and is incorporated herein by reference. The Board affirms this  
20 determination.

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22 Section 3. Article 26 of the Public Works Code is hereby amended by revising  
23 Sections 1602, 1604, and 1606, to read as follows:  
24  
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1           **SEC. 1602. DEFINITIONS.**

2           \* \* \* \*

3  
4           “Illegal Dumping” means the activity, act, or actions performed by any Person to  
5 discard, deposit, leave, place, keep, maintain, or abandon Prohibited Materials on any Public  
6 Property, either in violation of any City law or without the lawful and express written  
7 permission of the City.

8           \* \* \* \*

9  
10          “Prohibited Materials” means Construction and Demolition Debris, Electronic Waste,  
11 Hazardous Waste, Refuse, Powered Scooters (as defined in the Transportation Code) that  
12 are part of a Powered Scooter Share Program, or bicycles that are part of a Stationless  
13 Bicycle Share Program (as defined in the Transportation Code), or more than five pounds or  
14 more than one cubic foot of any other waste, debris, or material.

15          \* \* \* \*

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17           **SEC. 1604. ABATEMENT.**

18          (a) The Director may require or take any necessary abatement or enforcement action  
19 to clean up, remove, or contain any Prohibited Materials or prohibited items dumped on Public  
20 Property, including ordering the Responsible Party to remove and appropriately dispose of the  
21 material or prohibited items. The Director may ask any other City department or necessary  
22 state agency for assistance in abating any nuisance pursuant to this Article 26.

23          (b) Each Responsible Party shall be responsible for any Costs or monies expended  
24 by the Department or any other department of the City to abate a nuisance under this Article  
25 26. Such Costs or monies may be recovered in a civil action as described in Section 1605, as

1 *part of the Department's administrative enforcement as described in Section 1606, or by other lawful*  
2 means.

3 **SEC. 1606. ENFORCEMENT – ADMINISTRATIVE FINES AND PENALTIES.**

4 *(a)* Administrative Code Chapter 100 is incorporated by reference herein. In addition  
5 to the civil penalties authorized by this Article 26, Department employees designated in  
6 Section 38 of the Police Code may issue administrative citations imposing penalties or fines  
7 for each violation of this Article 26. The administrative penalty or fines shall not exceed  
8 \$1,000 per day for each violation. Administrative penalties shall be assessed, enforced, and  
9 collected in accordance with Section 39-1 of the Police Code and administrative fines shall be  
10 assessed, enforced, and collected in accordance with Administrative Code Chapter 100.

11 *(b) In addition to the administrative penalties and/or fines assessed under subsection (a) of this*  
12 *Section 1606, the Director may assess enforcement costs upon Responsible Parties to cover the Costs*  
13 *incurred by the City to abate the public nuisance and to enforce the administrative penalties and/or*  
14 *fines.*

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16 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
20 additions, and Board amendment deletions in accordance with the "Note" that appears under  
21 the official title of the ordinance.

1           Section 5. Effective Date. This ordinance shall become effective on the 31st day after  
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
4 of Supervisors overrides the Mayor's veto of the ordinance.

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7 APPROVED AS TO FORM:  
8 DAVID CHIU, City Attorney

9 By:           /s/ Christopher T. Tom            
10       CHRISTOPHER T. TOM  
11       Deputy City Attorney

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