

BOARD of SUPERVISORS



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MEMORANDUM

Date: June 18, 2026
To: Planning Department/Planning Commission
From: John Carroll, Assistant Clerk, Land Use and Transportation Committee
Subject: Board of Supervisors Legislation Referral - File No. 260685
Public Works Code - Enforcement Against Illegal Dumping

- California Environmental Quality Act (CEQA) Determination
(*California Public Resources Code, Sections 21000 et seq.*)
 - Ordinance / Resolution
 - Ballot Measure

- Amendment to the Planning Code, including the following Findings:
(*Planning Code, Section 302(b): 90 days for Planning Commission review*)
 - General Plan Planning Code, Section 101.1 Planning Code, Section 302

- Amendment to the Administrative Code, involving Land Use/Planning
(*Board Rule 3.23: 30 days for possible Planning Department review*)

- General Plan Referral for Non-Planning Code Amendments
(*Charter, Section 4.105, and Administrative Code, Section 2A.53*)
(Required for legislation concerning the acquisition, vacation, sale, or change in use of City property; subdivision of land; construction, improvement, extension, widening, narrowing, removal, or relocation of public ways, transportation routes, ground, open space, buildings, or structures; plans for public housing and publicly-assisted private housing; redevelopment plans; development agreements; the annual capital expenditure plan and six-year capital improvement program; and any capital improvement project or long-term financing proposal such as general obligation or revenue bonds.)

- Historic Preservation Commission
 - Landmark (*Planning Code, Section 1004.3*)
 - Cultural Districts (*Charter, Section 4.135 & Board Rule 3.23*)
 - Mills Act Contract (*Government Code, Section 50280*)
 - Designation for Significant/Contributory Buildings (*Planning Code, Article 11*)

Please send the Planning Department/Commission recommendation/determination to John Carroll at john.carroll@sfgov.org.

1 [Public Works Code - Enforcement Against Illegal Dumping]

2

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.

25

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.

14
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.

21
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
25

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 * * * *

16
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.*

15
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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6
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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13 4913-4907-6915, v. 1
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LEGISLATIVE DIGEST

[Public Works Code - Enforcement Against Illegal Dumping]

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

Existing Law

Currently, the City may recover the City's costs of abating illegal dumping by filing a lawsuit against the people or legal entities responsible for the illegal dumping.

Amendments to Current Law

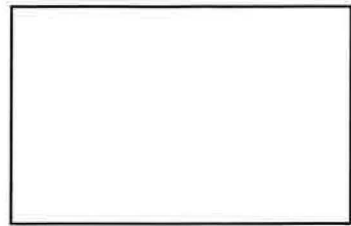
This ordinance would authorize the City to recover the City's costs of abating items and materials illegally dumped on City sidewalks and property through administrative enforcement proceedings against the people or legal entities responsible for the illegal dumping. Such costs incurred by the City include but are not limited to the costs of abatement, removal, and disposal of the illegally dumped items and materials as well as the costs of enforcing administrative penalties and/or fines, including attorneys' fees.

Background Information

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

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor _____ inquires..."
- 5. City Attorney Request
- 6. Call File No. _____ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. _____
- 9. Reactivate File No. _____
- 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Sauter

Subject:

Public Works Code - Enforcement Against Illegal Dumping

Long Title or text listed:

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

Signature of Sponsoring Supervisor: 