

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.