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SECOND ANNUAL VIRTUAL STATEWIDE CONFERENCE ON ILLEGAL DUMPING

Enforcement Panel

Disclaimer

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Enforcement Options

- ▶ Informal
- ▶ Administrative
- ▶ Civil
- ▶ Criminal



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Dylan Brady



#iDEAL VALLEJO

ILLEGAL DUMPING ENFORCEMENT AGAINST LITTER



We Need Your Help!

The City of Vallejo needs your help in enforcing against illegal dumping. If you see someone dumping trash or furniture, **please call 9-1-1 or the Illegal Dumping Hotline immediately at (707) 648-0445.**

Try to get a good description of the person dumping, the location, the vehicle they were driving, and if possible, the vehicle license plate number. If able, take pictures and videos of the dumping.

REWARD!

Vallejo Municipal Code section 7.44.170 provides a reward for any person giving information leading to the arrest and conviction of a person charged with illegal dumping. The reward is up to 50% of the amount of the fine paid by the person convicted.

Report Illegal Dumping!

If You See Dumping In Progress

Call 9-1-1
or the
Illegal Dumping Hotline: (707) 648-0445

To Report Dumped Objects

If on public property, call
Public Works: (707) 648-5207
If on private property, call
Code Enforcement: (707) 648-4469

or
Email us:
IllegalDumping@cityofvallejo.net

or
Report to SeeClickFix:
Web: <http://seeclickfix.com/vallejo>



**WHAT CAN I DO
TO HELP THE
CITY
CRIMINALLY
ENFORCE
ILLEGAL
DUMPING?**

The Problem

- The City Grounds Maintenance Division cleans up approximately 3,500 tons of illegally dumped trash and debris on public property each year.
- Illegal dumping constitutes a public nuisance.
- Illegal dumping creates a condition of blight within the City that can result in the deterioration of property values, negatively impacting the quality of life.
- Illegal dumping is disrespectful to Vallejo, its citizens and businesses, negatively impacting the business climate in Vallejo.
- Illegal dumping promotes a perception that the laws protecting public and private property can be disregarded with impunity.

Property Owners

Property owners are responsible for illegally dumped items on their property. The City could prosecute the owner if the dumped items accumulate on or adjacent to the owner's property.

To deter people from dumping on your property please install lights, a fence, or a camera, and/or hire security or a property manager.

The Vallejo Municipal Code

It is unlawful for any person to deposit, keep, accumulate, or permit any solid waste, green waste, or recyclables upon any private or public place.

VMC §7.44.100 & §7.44.110



Help us make an #IDEALVallejo!



The Solution

Among other efforts, the City of Vallejo is criminally prosecuting people who illegally dump or accumulate garbage in violation of Vallejo Municipal Code sections 7.44.100 and 7.44.110.



The City hired a new code enforcement officer who will be tasked with investigating and recommending prosecution for violations of the Vallejo Municipal Code.

The City can file an illegal dumping violation as either a misdemeanor or an infraction. A misdemeanor penalty could result in a fine up to a \$1,000 and/or jail time for up to six months.

Interdepartmental Effort

- ▶ Public Works Department
- ▶ Vallejo Police Department
 - ▶ Code Enforcement
- ▶ City Attorney's Office











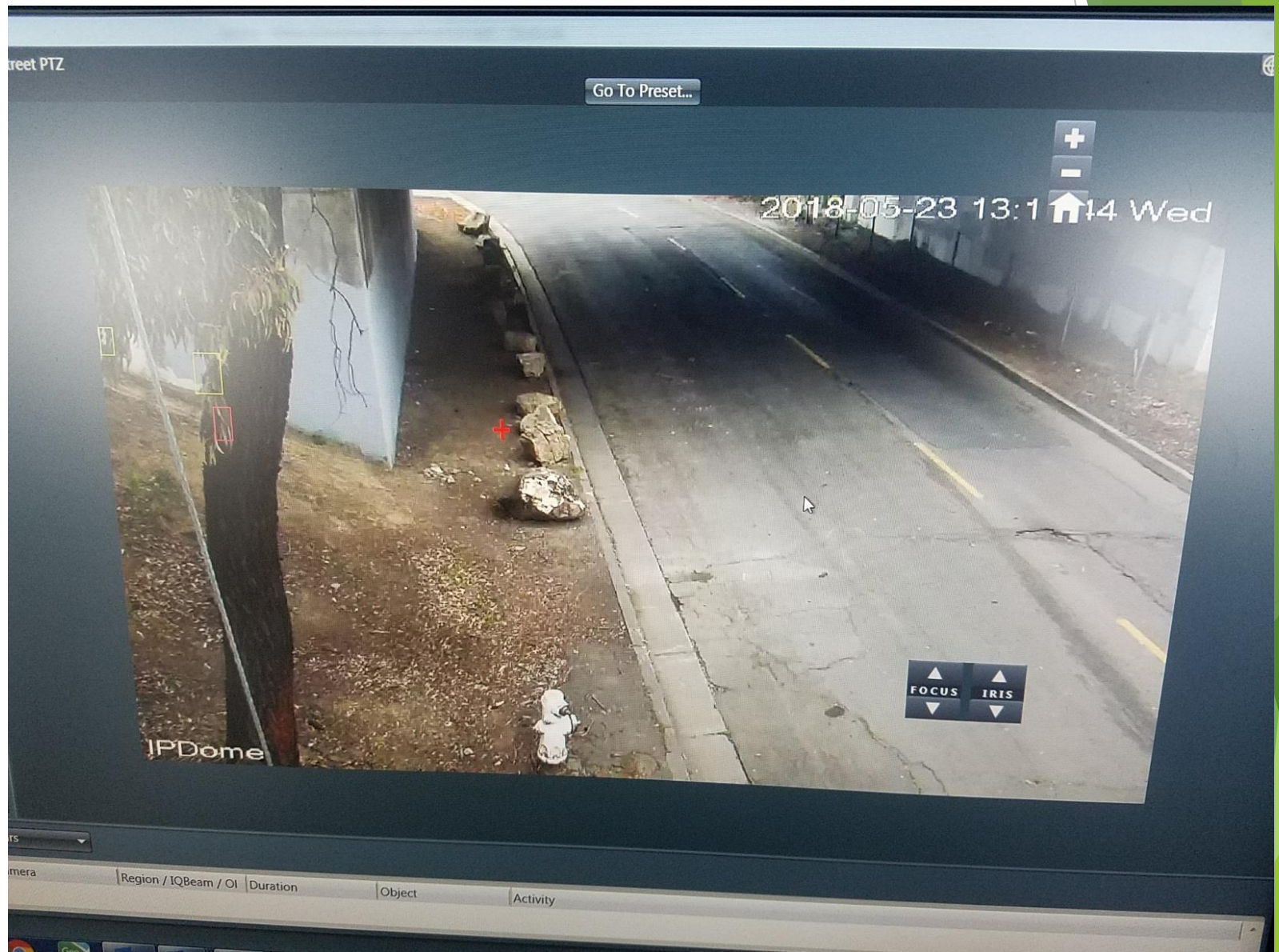
Automated license plate readers

- ▶ **Definition:** A “*license plate recognition system*” is defined as “a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with other computer algorithms to read and convert images of registration plates and the characters they contain into computer-readable data,” or “automated license plate recognition (ALPR) data.”

WARNING Statutes in the **Civil Code** require ALPR operators to maintain reasonable security procedures and practices, including protecting ALPR information from unauthorized access, detection, use, modification, or disclosure. A use and privacy policy, establishing minimum standards, must be implemented. (Civ. Code §§ 1798.90.5, 1798.90.51, 1798.90.52, 1798.90.53, 1798.90.54, 1798.90.55.)

IMPORTANT: High-definition cameras that can capture license plates that don't fit above definition are not included within the scope of this law.

Camera



Vehicle Code section 21101.4

Temporary Road Closures

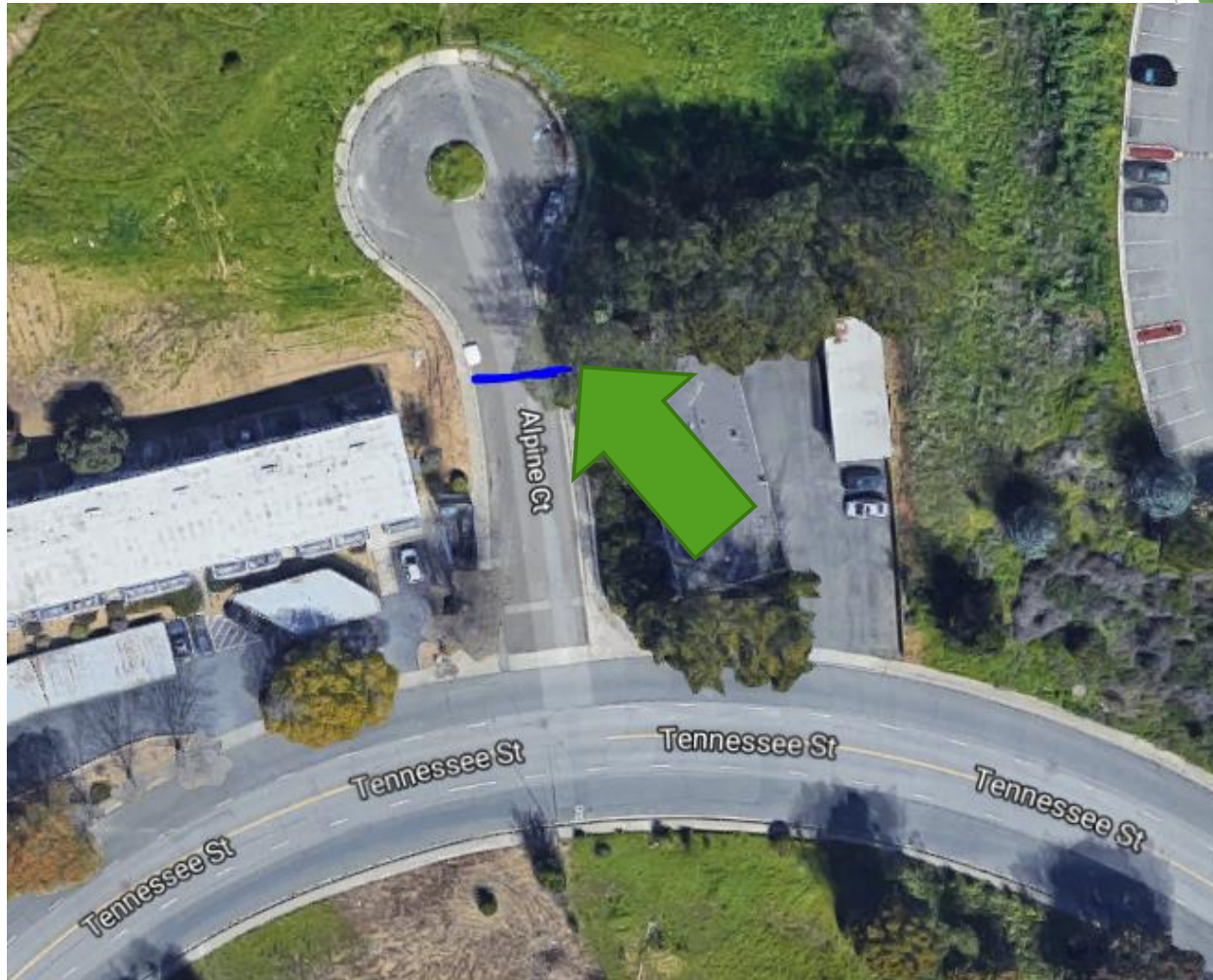
Summary

- ▶ Authorizes local governments to temporarily close roads for up to 18 months if the following conditions exist:
 1. Police Department finds that there are serious and continual criminal activity including illegal dumping exists.
 2. Road is not a through street or alternatively that the law enforcement and traffic engineer has determined that the closure won't significantly impact the normal flow of traffic.
 3. Vehicles and pedestrian traffic cause the illegal activity.
 4. Closure won't substantially adversely affect traffic, safety, the performance of municipal or public services, or freight in surrounding neighborhoods.

Temporary barrier at Enterprise



Alpine Court



Temporary Barrier at Alpine



Skyline Court



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Marr Christian

Riverside County Code Enforcement Special Enforcement Team (S.E.T.)

S.E.T. is responsible for the enforcement of illegal dumping activities throughout Riverside County.

Criminal complaints are prepared and sent to the District Attorney's Office for the prosecution of Penal Code sections: **"Vertical Prosecution"**

Misdemeanor

- ▶ 374.3 (h)(1) Illegal dumping greater than one cubic yard or generated from a business
- ▶ 374.8 (b) Depositing a Hazardous Substance (Felony/Misdemeanor)
- ▶ 374.7(a) Littering/Dumping waste matter in water/shore
- ▶ 372 Willfully maintaining a public nuisance
- ▶ 373(a) Maintaining or permitting a public nuisance after an Abatement Notice

Infraction

- ▶ 374.3(a) Illegal Dumping Non commercial, less than one cubic yard "waste matter"
- ▶ 374.3(b) Illegal Dumping Non commercial, less than one cubic yard "rocks and dirt"
- ▶ 374.4(a) Littering

Illegal Dumping



Household trash

Hazardous Material Dumping Investigation



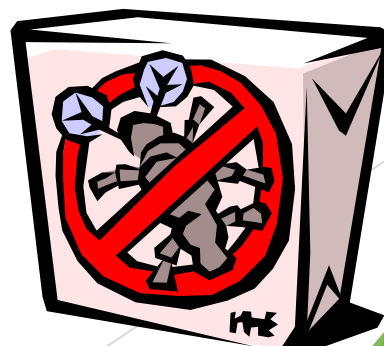
Officer begins separating materials by flammable, combustible, reactive and poison.

What is Hazardous Waste

- ▶ Paint
- ▶ Household cleaners
- ▶ Car batteries
- ▶ Antifreeze
- ▶ Tires
- ▶ pH greater than 12.5,
less than 5.0



- ▶ Containers that were
used to store gas
- ▶ Pesticides
- ▶ Pool chemicals
- ▶ Meth lab components
- ▶ Refrigerants
- ▶ Any electronic
appliances



Hazardous Materials

- ▶ Transportation - 25189 (C) H & S
- ▶ Treatment or storage - 25189.5 (D) H & S
 - Example: contaminated soil
- ▶ Burning or incineration without a permit - 25189.7 H & S
- ▶ Illegal disposal with unreasonable risk of fire, explosion, serious injury or death - 25189.6 H & S

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Gonzalo Barriga

CITY OF LOS ANGELES, LASAN, WPD

ENVIRONMENTAL ENFORCEMENT & EMERGENCY RESPONSE

MISSION

To protect public health and the environment.

VISION

It is the vision of the Watershed Protection Enforcement & Emergency Response to, achieve a cleaner and safer City by establishing uniform requirements and prohibitions for dumping, discharging, polluting to the streets, alleys, storm drain system, and the receiving waters, necessary to adequately enforce and administer all laws and lawful standards and orders or special orders, that provide for the protection, enhancement and restoration of water quality, environment and general public health & safety.

RESPONSIBILITIES

The WPP Environmental Compliance Officers (ECO) are duly appointed public officers as defined in California Penal Code, Section 836.5. Additionally, an ECO have the power, authority and immunity of illegal dumping enforcement officers as set forth in California Penal Code Section 830.7(j), to enforce laws related to illegal waste dumping with respect to the environment, storm drain systems and waters of the State, and authorized by a Memorandum of Agreement with the Los Angeles Police Department. Additionally, all officers empowered by this Section shall have the duty to enforce 64.70 of the Municipal Code with respect to public health and safety, the environment, storm drain systems and waters of the State of California. These persons shall also have the power to serve warrants as specified in the California Code of Civil Procedures Section 1822.50, et seq. This power, authority and immunity shall only be exercised by the designated employees who have successfully completed a course in the exercise of the powers of a peace officer pursuant to California Penal Code Section 832 and who have satisfied the all of the selection standards for peace officers pursuant to the California Government Code and City/Bureau Policies (Reference the Public Officer Program Policy).

Additionally, an ECO is an Hazardous Materials Technician/Specialist, employed by the Bureau of Sanitation, and regularly assigned to the Watershed Protection Division who is designated to conduct emergency response activities related to hazardous materials/waste incidents occurring in the public right-of-way (including, but not limited to, oil spills, chemical spills, sanitary sewage spills and abandoned hazardous waste) that could potentially affect any receiving waters, or public health and safety.

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Benjamin
Schiesser

California Highway Patrol

ENVIRONMENTAL CRIMES UNIT

MISSION

The primary mission of the CHP's Environmental Crimes Unit is to investigate and reduce the illegal transportation and disposal of hazardous wastes and hazardous materials within CHP jurisdictions. A secondary mission is to assist allied agencies upon request with other types of environmental crimes investigations and conduct joint training operations in a cooperative effort to reduce environmental crimes.

RESPONSIBILITIES

- ▶ Actively engage in locating, responding to, surveilling, investigating and documenting cases of illegal transportation and disposal of hazardous wastes and hazardous materials.
- ▶ Respond to various types of hazardous materials incidents to ensure appropriate command and response tactics are utilized in mitigation and clean-up operations.
- ▶ Attend Environmental Task Forces and Hazardous Materials Response meetings.
- ▶ Assist allied agencies with investigations, inspections and search / arrest warrants.
- ▶ Facilitate and promote educational programs related to hazardous materials and waste transportation regulations; environmental laws and regulations; environmental enforcement; and environmental crime investigations to allied agencies, District Attorneys and industry partners.
- ▶ Encourage the cooperation and coordination of environmental crime investigations conducted by law enforcement and regulatory agencies at local, State and Federal levels.



CALIFORNIA
HIGHWAY PATROL

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Abandoned Vehicle Abatement

The California Highway Patrol's (CHP) Abandoned Vehicle Abatement (AVA) Program was designed to provide guidance to counties who wish to develop and administer AVA Authorities. The AVA Program is recognized as a means to remove abandoned vehicles that create a public nuisance and a health or safety hazard. Currently, there are thirty-seven counties in the State of California participating in the AVA program. Additional counties continue to request sample plans to develop local plans in conformance with the AVA guidelines.

Research and Planning Section will assist any county that has or wishes to initiate an AVA Program. The Department's role is limited to providing guidelines, assistance and advice to the counties' AVA Authorities, and assisting them with interpretation of codes and policies.

Programs & Services

For Law Enforcement

Abandoned Vehicle Abatement



<https://www.chp.ca.gov/programs-services/for-law-enforcement/abandoned-vehicle-abatement>

Removal of Abandoned Vehicles

California Vehicle Code	Description
22651(b)	Parked or left standing on a highway, blocking or a hazard
22651(d)	Parked blocking driveway
22651(e)	Parked blocking fire hydrant
22651(f)	Parked or left standing on highway for more than 4 hours
22651(h)	Driver arrested
22651(j)	Illegally parked, no license plates or registration
22651(k)	Parked over 72 hours
22651(l)	Parked in violation of local ordinances/road repair/construction
22651(n)	Parking prohibited by local ordinances or resolution
22651(o)	Vehicle registration expired over 6 months
22658	Removal from private property
22669	Removal of abandoned vehicles

Jamaica Moon



EDUCATION • ERADICATION • ENFORCEMENT



City of Oakland Environmental Enforcement Officers (EEOs)

Environmental Enforcement Officers (EEOs) are officers that monitor all of Oakland's diverse communities to prevent and deter illegal dumping. Through educational outreach and enforcement actions, EEOs educate Oaklanders on the consequences of illegal dumping and hold unlawful dumpers accountable. They monitor illegal dumping "hot spots," conduct forensic investigations, cite dumpers, coordinate abandon waste removal, and collect data to inform and improve their enforcement efforts.

- See Oakland Muni Code 8.11.410 and 8.11.420 (in Health and Safety/Illegal dumping section) for "Power of arrest and citation" and "Administrative Actions."

https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT8HESA_CH8.11ILDULI_ARTIVADCICR_LIPE_8.11.410POARCI