



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Manager's Office



Date: April 20, 2016
Board Meeting Date: April 26, 2016
Special Notice / Hearing: N/A
Vote Required: Majority

To: Honorable Board of Supervisors

From: John Maltbie, County Manager

Subject: Amendment of Ordinance Code to Add Chapter 3.50, Illegal Dumping and Littering, to Title 3 of the San Mateo County Ordinance Code

RECOMMENDATION:

Introduction of an ordinance adding Chapter 3.50 Illegal Dumping and Littering, to Title 3 of the San Mateo County Ordinance Code, and waive the reading of the ordinance in its entirety.

BACKGROUND:

Certain unincorporated areas of the County suffer from large amounts of illegal dumping and littering. This unlawful conduct, in addition to blighting communities, is also often associated with more serious crimes within affected areas, a reduction of property values, discouragement of economic development, and feelings of insecurity among residents. In fact, during a County outreach meeting in November 2015, residents of the County's North Fair Oaks neighborhood identified illegal dumping as the most significant code enforcement issue affecting them.

Though illegal dumping is a crime, it is rarely prosecuted. Thus, to maximize enforcement, staff recommends that the County streamline and enhance existing administrative and civil tools by adopting the attached proposed Chapter 3.50 of the County Ordinance Code. At the same time, staff recommends that the County engage in an outreach and educational effort relating to illegal dumping and littering.

DISCUSSION:

The proposed ordinance classifies both illegal dumping and littering public nuisances and sets forth criminal penalties for each action. (Ord. Code, §§3.50.040, 3.50.050.) It also makes certain forms of dumping and littering that involve large quantities of waste or certain categories of waste (e.g., harmful waste, appliances, mattresses, etc.) "Major Violations" of the ordinance that are subject to an increased administrative penalty of

\$3,000.00, after notice and an opportunity to appeal is given to the violator. (Ord. Code, §3.50.060.) At the same time, it expands the range of individuals potentially responsible for dumping and littering violations to include the following: (1) persons participating in violations, (2) persons whose motor vehicles are used in connection with an act of illegal dumping, and (3) property owners whose tenants commit an act of illegal dumping. Finally, the proposed ordinance authorizes the County Manager to develop a community service program to serve as a possible alternative to payment of penalties imposed under the ordinance.

Staff recommends integrating the proposed ordinance into public outreach and education efforts regarding illegal dumping and littering. Examples of current efforts utilized in the County's North Fair Oaks neighborhood include education at community meetings and schools, quarterly news releases, informational door hangers, and County-sponsored recycling and clean-up events.

The proposed ordinance, when combined with effective outreach and educational efforts relating to illegal dumping and littering, should help to reduce illegal dumping and improve the quality of life of those residing in affected communities.

SHARED VISION 2025:

Proposed Chapter 3.50 relating to illegal dumping and littering is consistent with the shared vision goal of fostering a healthy, livable, and environmentally-conscious community.

FISCAL IMPACT:

There are no known fiscal impacts associated with adopting this ordinance. The education and outreach associated with this proposal will require staff time from the County Manager's office and Code Compliance staff. Enforcement of the ordinance will also require staff time from Code Compliance and, possibly, law enforcement, although such additional expenses are expected to be offset by penalties imposed under the ordinance.