



Memorandum

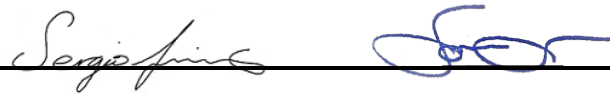
TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Councilmember Jimenez
Councilmember Peralez

SUBJECT: Illegal Dumping Fines and Enforcement **DATE:** April 22, 2021

Approved

Date: April 22, 2021



RECOMMENDATIONS

1. Direct the City Manager to increase illegal dumping fines to \$10,000 for the first and subsequent offenses;
2. Direct the City Manager to prepare an MBA for the current budget cycle that outlines the cost of increased enforcement against illegal dumping, such as purchasing additional cameras to monitor hotspots, utilizing Community Service Officers to patrol identified hotspots, and establishing a community awareness campaign to encourage reporting of illegal dumping.
3. Direct the City Attorney to evaluate whether fines collected can be used to reward residents who provide information leading to a citation and fine for illegal dumping.

BACKGROUND

In the last year, illegal dumping has grown exponentially across the City. Mattresses, couches, and construction debris are scattered across neighborhoods, blocking sidewalks, trails, and waterways, creating hazardous and health conditions. Irresponsible residents emboldened by the lack of enforcement and reduced City services due to the pandemic are turning our streets into dumping grounds. The growth in blight has led to rat infestations, environmental harm, a rise in crime, and decreasing quality of life in San Jose. Over the last several years the City has invested in beautification efforts, dumpster days, free large item pick up, Cash for Trash, and other programs designed to reduce blight and deter illegal dumping. Unfortunately, in spite of these investments, we simply cannot pick up the trash fast enough. Hotspots are cleaned only to be littered again within hours. It is time that the City take a strong-handed approach to illegal dumping.

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Increasing the City's fine to \$10,000 for the first and subsequent offenses sends the clear message that we will no longer tolerate this illegal and harmful behavior, and it establishes serious consequences for those who disrespect our communities by illegally dumping. Additionally, heavy fines must come in conjunction with increased enforcement. Fines alone are meaningless if we do not prioritize catching and prosecuting those who irresponsibly dump unwanted junk across the City. Lastly, providing monetary rewards to residents who provide information leading to a citation and fine will incentivize residents to keep a watchful eye on their neighborhoods and report illegal dumping.

We acknowledge that increased fines and enforcement may have a disproportionate impact on low-income communities and communities of color. Recognizing this, we suggest that as a Council we think of equitable ways to implement fines and enforcement across all of our diverse communities. The residents of San Jose deserve to have pride in their neighborhoods and to enjoy clean and safe city streets. We are confident that increasing fines, increasing enforcement, and rewarding residents who report will complement current efforts to clean our City and finally begin to deter illegal dumping.

BROWN ACT: The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff