

Memorandum



CITY OF DALLAS

DATE April 24, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Dwaine R. Caraway (Chair)
Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT Illegal Dumping & Litter Enforcement

On Monday, April 27, 2015, the Quality of Life & Environment committee will be briefed on Illegal Dumping & Litter Enforcement. The briefing is attached for your review.

Please contact me if you have any questions.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council



City of Dallas

Illegal Dumping & Litter Enforcement

Quality of Life & Environment
Committee

April 27, 2015



Purpose

- Provide an overview of illegal dumping and enforcement
- Identify internal and external partners and their roles in combatting illegal dumping
- Discuss current challenges
- Provide next steps to addressing illegal dumping

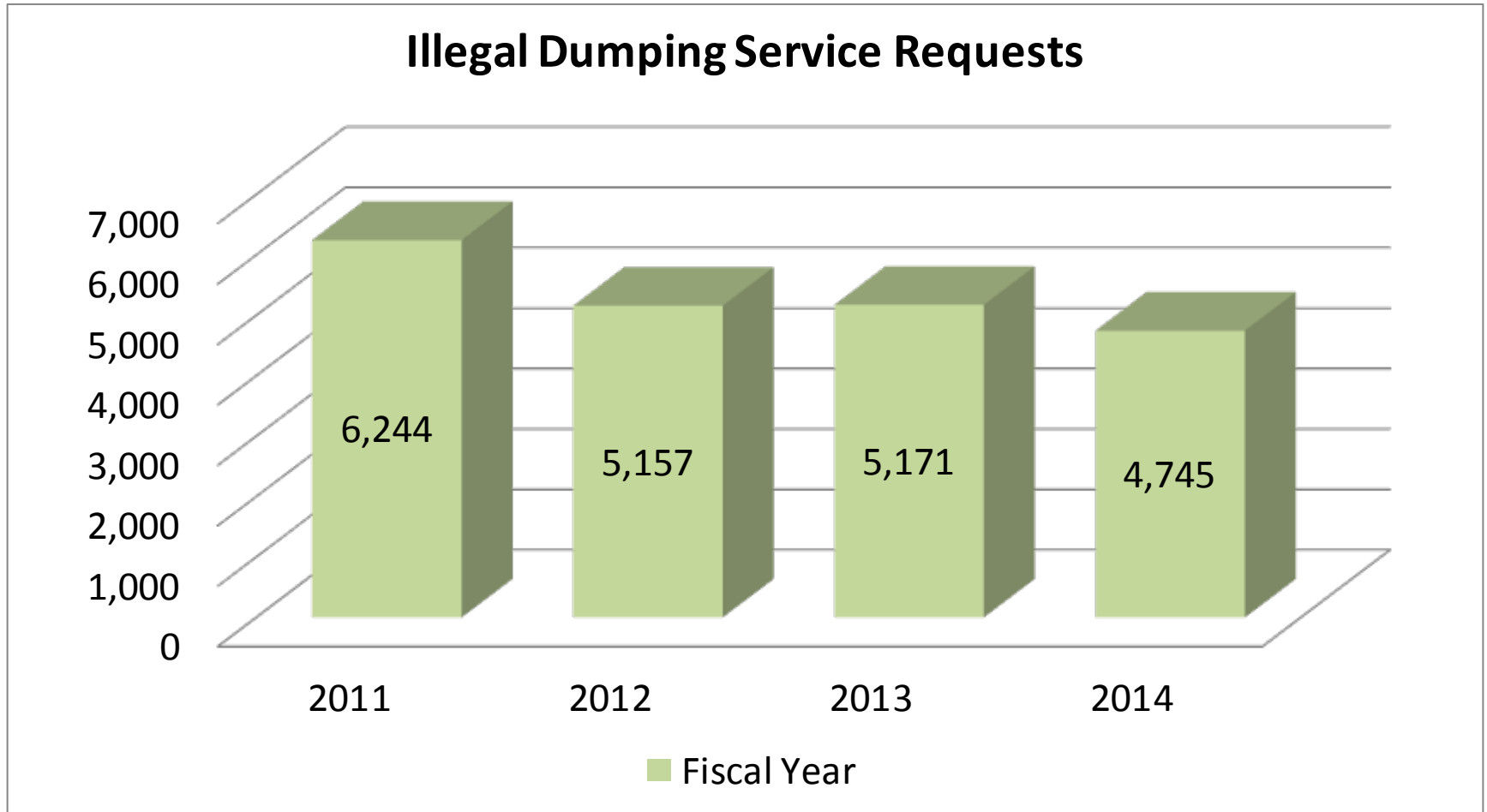
What is Illegal Dumping?

- (a) A person commits an offense if the person disposes or allows or permits the disposal of litter or other solid waste at a place that is not an approved solid waste site, including a place on or within 300 feet of a public highway, on a right-of-way, on other public or private property, or into inland or coastal water of the state.
- (b) A person commits an offense if the person receives litter or other solid waste for disposal at a place that is not an approved solid waste site, regardless of whether the litter or other solid waste or the land on which the litter or other solid waste is disposed is owned or controlled by the person.
- (c) A person commits an offense if the person transports litter or other solid waste to a place that is not an approved solid waste site for disposal at the site.

Penalties

Penalties under the Texas Litter Abatement Act /Health & Safety Code, Chapter 365 – Illegal Dumping		
Class C Misdemeanor	5 lbs. or less, or a volume of 5 gallons or less	Fine up to \$500
Class B Misdemeanor	More than 5 lbs. but less than 500 lbs., or a volume of more than 5 gallons but less than 100 cubic feet	Fine up to \$2000 and/or 180 Days in Jail
Class A Misdemeanor	500 lbs. or more, but less than 1000 lbs., or a volume of 100 cubic feet or more, but less than 200 cubic feet	Fine up to \$4,000 and/or Up to 1 year in jail
State Jail Felony	1000 lbs. or more, has a volume of 200 cu. feet or more; or Dumping for economic purposes and weighing 200 lbs. or more, has a volume of 200 cubic feet or more; or Dumping a closed barrel or drum	Fine up to \$10,000 and/or 180 days to 2 years in jail

Illegal Dumping Service Request Trend



Internal/External Partners

Code Compliance Services

- Inspect, initiate illegal dumping case, weigh, transport and dispose of material

Dallas Marshal's Office

- Conduct criminal investigations of illegal dumping and arrest violators
- Monitor chronic dumpsites, file criminal cases, and patrol the Trinity River Corridor

Dallas Police Department

- Respond to dumping in progress calls (911 calls)

Dallas Fire-Rescue

- Respond to Hazmat issues

Trinity Watershed Management

- Conduct hazardous waste sample collections

Environmental Protection Agency/Texas Commission on Environmental Quality

- Refer cases to Marshal's Office for criminal investigation

Citizens

- Report issues

Recent Arrests

Commercial Tire Dumping

On October 24, 2014, a Deputy Marshal patrolling the 2300 block of Gooch St. personally observed three suspects dumping more than 200 tires onto a vacant lot

All three suspects were arrested and charged with commercial illegal dumping. The tires were generated from a tire shop in Terrell, Texas. The suspects stated that they went to the McCommas Landfill, but decided the price of disposal was too high



Recent Arrests

Illegal Dumping at City Facility

On March 22, 2015 around 4 P.M., Deputy Marshals assigned to the Environmental Crimes Unit observed a suspect dumping into the recycling bin at 3800 Bronze Way

The suspect stated that he dumped at this location as the McCommas Landfill and the Southwest Transfer Station are closed on Sunday



Recent Arrests

Commercial dumping captured on camera

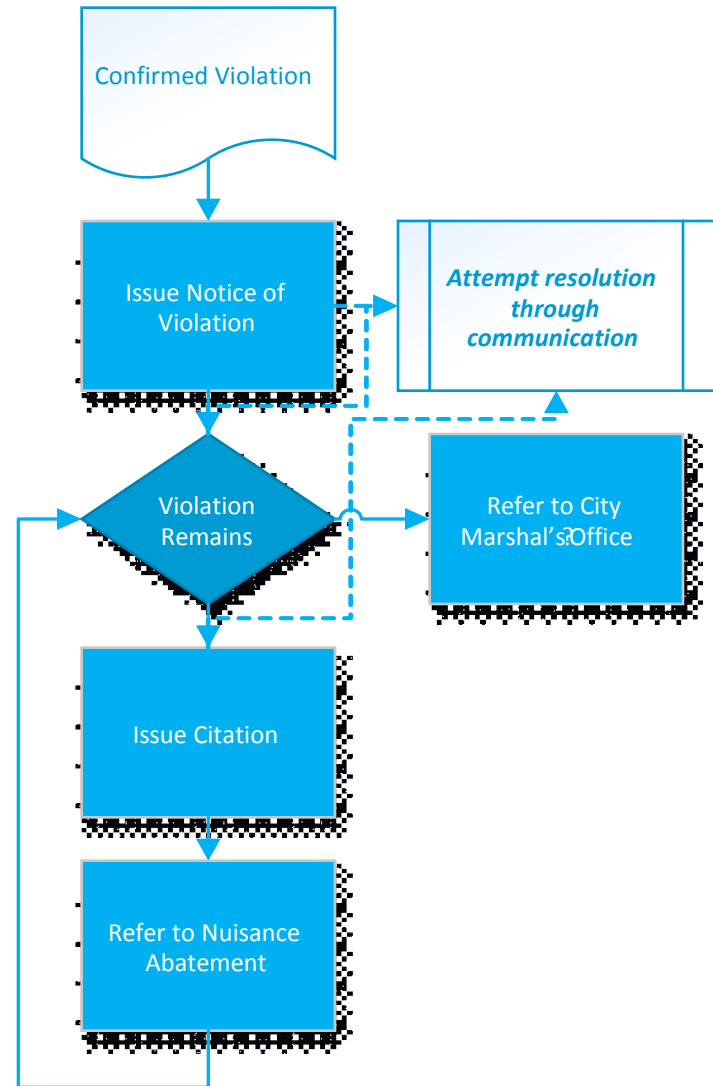
On April 10, 2015, a suspect vehicle was photographed driving off the roadway at 4500 Kolloch Street. Subsequent photograph shows the load dumped on the roadside

The suspect was later identified by a Marshal's Office Investigator and the investigation revealed that the suspect was paid \$16.00 by a business to properly dispose of the debris. The suspect was later arrested on a felony warrant for commercial illegal dumping and the bond was set at \$15,000



Steps to Obtain Compliance

- Community Code - typical steps to obtain compliance:
 - Gather traceable evidence
 - Issue Notice of Violation
 - Re-inspect and if not abated issue Citation
 - Refer to Nuisance Abatement for removal
 - Refer to City Marshal's Office for further criminal action



Enforcement Update

- Currently utilizing existing Code Compliance staff in each district
 - Inspectors
 - Supervisors
 - Neighborhood Code Representatives
- City Marshal's Office has 13 officers dedicated to combat illegal dumping
 - 2 sergeants
 - 11 deputies

Current Tools

Signs

125 signs currently in place citywide

Next Steps

Continue to place illegal dump signs in hot spot locations



Current Tools

Cameras

Two recently purchased and installed cameras are in use



Next Steps

Budget enhancement bid requested to purchase 19 additional high technology cameras



Current Tools

Public Awareness Campaign

- Code Compliance Services was awarded a grant in 2014 for \$125,000 from the North Central Texas Council of Governments to facilitate public awareness and educational opportunities to reduce illegal dumping of scrap tires
 - Initiated a Stop Illegal Dumping public awareness campaign, “Re-Tire”
 - Focus on educating the public of properly disposing of scrap tires and penalties associated with illegally dumping scrap tires
- Re – Tire project highlights
 - 25 DART bus wraps
 - 25 displays on DART trains
 - Creation of Re-Tire activity book
 - Community outreach projects
 - Dallas Horse Park grand opening
 - Cedar Crest Bridge opening
 - Earth Day Texas
 - Brookhaven College Earth Day Festival
 - Scrap Tire Clean - up



Next Steps

- Continue implementing innovative technology and focus efforts to increase identification and arrest of offenders
- Increase awareness of illegal dumping and the impact by partnering with the media and using social media
- Enhance community outreach, education and seek assistance in reporting and photographing dumping offenses