




Hamilton

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Parking and By-law Services Division

TO: Chair and Members General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: July 8, 2013	
SUBJECT/REPORT NO: Illegal Dumping Pilot Project (City Wide) (PED11127(e))	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Kim Coombs (905) 546-2424 Ext. 1318 Tamara Reid (905) 546-2424 Ext. 1969
SIGNATURE:  FOR T. MCCABE.	

RECOMMENDATION

That the 12-month pilot to address the problem of illegal dumping across the City, approved by City Council on April 25, 2012, be extended an additional nine months (until June 2014) subject to approval of the following:

- (a) providing additional hours to the current part-time staff (equivalent to one full-time employee (FTE)), for enhanced monitoring and enforcement;
- (b) additional funding (estimated at \$165,000 for nine additional months) from the Tax Stabilization Reserve (110046).

EXECUTIVE SUMMARY

On April 25, 2012 Council approved a 12-month pilot project to address the problem of illegal dumping across the City. The pilot is having a positive effect on the illegal dumping problem, but staff recommends that it be extended until June 2014 for the following reasons:

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- to ensure that recent improvements to the illegal dumping problem are sustained;
- to allow staff to continue to develop the most effective strategies to address the problem of illegal dumping; and,
- to provide proper evaluation in light of the recent Council approved changes to waste management practices.

Alternatives for Consideration – See Page 5

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial/Staffing: A nine-month project extension to June 2014 is estimated to cost an additional \$130,000, and to assign additional hours to the current part-time staff (equivalent to one FTE) as recommended would cost an additional \$35,000.

Legal: N/A

HISTORICAL BACKGROUND

On April 25, 2012 Council approved a 12-month pilot project to address the problem of illegal dumping across the City. Approval of the pilot included the following direction.

- “(a) That staff be directed to conduct a 12-month pilot project for illegal dumping across the City including the specific trouble locations in each Ward as previously identified in Report PW11052/PED11127, with the requirements/resources for such pilot project being as follows:
- (i) approval to hire four students, one temporary part-time (.6) FTE Supervisor and one temporary part-time (.5) FTE temporary By-law Clerk;
 - (ii) approval to purchase and/or lease two unmarked used vans with side/rear windows for the purpose of enforcement and surveillance, and surveillance equipment, including cameras, video cameras, cellular devices and other electronic tools as required;
 - (iii) That the gross cost of Recommendation (a) (i) and (ii) above, estimated at \$180,000 plus \$45,000 in one-time Capital costs, be approved and funded through the Tax Stabilization Reserve (110046), and that any proceeds from associated fees and charges be directed back to the Tax Stabilization Reserve (110046) to offset the actual gross cost;
 - (iv) That staff be directed to report back to the General Issues Committee prior to the conclusion of the pilot, detailing key performance measures including:

- (1) cost recovery from fines and through Court actions;
 - (2) compliance rates and measurably improved conditions in the specific trouble locations in each Ward as previously identified in Report PW11052/PED11127 and other areas across the City;
 - (3) reduced complaints about illegal dumping.
- (b) That prior to the commencement of the pilot project staff be directed to prepare comprehensive amendments for consideration by the General Issues Committee and Council to amend the Solid Waste Management By-law (09-067), the Streets By-law (86-077), the Parks By-law (01-219), and the Yard Maintenance By-law (10-118) as follows:
- (i) By updating and/or replacing the relevant sections in order to provide more effective enforcement, to ensure consistency in language and to identify specific roles for property owners and/or tenants on boulevards abutting residential properties;
 - (ii) By increasing the penalties for illegal dumping to \$500 and that staff be directed to submit an application to the Ministry of the Attorney General's Office for approval.
- (c) That the pilot program of using Summer students to assist with the workload of Environmental Enforcement Officers be made permanent based on full cost recovery."

On September 26, 2012 City Council directed staff to include monitoring and enforcement of illegal dumping around donation drop boxes in the Illegal Dumping Pilot Project.

POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Legal Services, Public Works and Finance were consulted in the preparation of this Report.

ANALYSIS / RATIONALE FOR RECOMMENDATION

Following the recruitment and selection process, the pilot, nicknamed "*Project Trash Talk*", began in September 2012, and is scheduled to finish by September 2013. Four temporary part-time illegal dumping "*monitors*" and one temporary full-time Supervisor are actively investigating the areas of concern as identified in Report PW11052/PED11127, and other problem locations across the City.

In staff's opinion, the pilot is having a positive effect on the problem of illegal dumping across the City as demonstrated through the following Council-approved performance measures:

1. Cost recovery from fines and through Court actions

Total expenditures are approximately \$115,000 for the first eight months of the pilot. A total of 19 charges have been laid resulting in a cost recovery through fines and fees of approximately \$7,200 to-date. Thus, the net operating costs are approximately \$107,800 for the first eight months of the pilot. However, staff expects the rate of cost recovery to increase as there are charges still before the Courts, and many others currently being processed.

It is important to note however, that while there are many Community image and health and safety benefits to increased enforcement of illegal dumping, it is apparent that the program will never achieve full cost recovery.

2. Compliance rates and measurably improved conditions in the specific trouble locations in each Ward as previously identified in Report PW11052/PED11127 and other areas across the City

Conditions in the problem areas identified by Council in Report PW11052/PED11127 have generally improved as proactive surveillance is showing a marked reduction in illegal dumping activity in these areas.

There are a few areas, however, that continue to require further attention. In addition, locations identified as problems by Public Works also require further surveillance especially those in Parks and City litter containers which receive the overflow of household waste by area residents.

Efforts through education, including joint force initiatives with the Hamilton Police Services and CN Rail have also proven to be beneficial. The most recent joint force operation netted 14 charges under the Liquor License Act, Railway Safety Act and Public Nuisance By-law. The erection of 32 illegal dumping surveillance, "*We are Watching*" signs, which include CN and City logos, were placed across the lower City. Further educational campaigns scheduled for June 2013 include the placement of 20

posters on City benches across the upper City with a specific focus on the illegal dumping of residential waste.

3. Reduced complaints about illegal dumping

It was found that illegal dumping complaints decreased by 18% (approximately 159 complaints) during the eight months since "Project Trash Talk" commenced as compared to the same months prior (September 2011- April 2012). Also, it was noted that there have been fewer complaints about illegal dumping at the identified hot spot locations. This can be attributed to the proactive enforcement and education efforts of "Project Trash Talk".

In addition, proactive monitoring has revealed that conditions around donation boxes have greatly improved over the course of this pilot and very few complaints about dumping around donation boxes are currently being received.

In summary, the pilot is having a positive effect on the problem of illegal dumping across the City. However, staff recommends that it be extended until June 2014 for the following reasons:

- to ensure that recent improvements to the illegal dumping problem are sustained;
- to allow staff to continue to develop the most effective strategies to address the problem of illegal dumping; and,
- to provide proper evaluation in light of the recent Council-approved changes to waste management practices.

Finally, in order to provide the most efficient and effective pilot, staff is also recommending providing additional hours (equivalent to one FTE) to the current part-time staff. This would allow for more complete and comprehensive investigations which, in turn, will provide for better cost recovery and more effective enforcement, as well as allow for a higher level of enforcement in the problematic areas.

ALTERNATIVES FOR CONSIDERATION

Council could consider extending the pilot without the requested additional hours (equivalent to one FTE) for the current part-time staff, or could consider extending the pilot to a different point in time.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #1 A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

APPENDICES / SCHEDULES

N/A

KC:dt