

# INFORMATION REPORT

Mayor and Members General Issues Committee	<b>WARD(S) AFFECTED:</b> CITY WIDE
<b>COMMITTEE DATE:</b> January 14, 2013	
<b>SUBJECT/REPORT NO:</b> Illegal Dumping, Litter and Escaped Waste - Update (PED11127(d)) (City Wide)	
<b>SUBMITTED BY:</b> Tim McCabe General Manager Planning and Economic Development Department	<b>PREPARED BY:</b> Glyn Wide (905) 546-2424 Ext. 5413
<b>SIGNATURE:</b>	

## Council Direction:

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

- “(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.”

## Information:

New temporary part-time staff were hired and trained and the pilot project (subsequently named “*Project Trash Talk*”) began on September 24, 2012.

A portion of the approved budget was used to purchase quality surveillance equipment including two higher grade digital SLR cameras. Two separate Requests for Quotations

**SUBJECT: Illegal Dumping, Litter and Escaped Waste - Update (PED11127(d))  
(City Wide) - Page 2 of 4**

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(RFQ) were distributed to various Automotive Dealers in and around the Hamilton area for two unmarked vans. However, the RFQs did not attract sufficient response, so the search for appropriate surveillance vehicles is continuing.

Staff of "*Project Trash Talk*" are actively working on a list of approximately 260 locations and have achieved the following results for the first two months:

**Problem Areas identified by Council:**

Staff were directed to focus on the specific trouble locations identified in Report PW11052/PED11127, and at this time, there are two Provincial Offences Notices (charges) pending for illegal dumping on City property.

A number of locations, particularly in Ward 1, were addressed through regular enforcement prior to the commencement of "*Project Trash Talk*" such that no further enforcement action is required at these locations at this time, and new requests from Councillors are being responded to.

Some areas such as ravines, escarpment embankments, waterfalls and lookout points were deemed to be unsafe for monitoring staff, and, therefore, such areas were forwarded to Public Works for clean-up with special equipment, as needed.

**Donation Boxes:**

Through approval of Report PED12175, staff were directed by Council to include monitoring and enforcement of illegal dumping around donation boxes in the illegal dumping pilot. Donation boxes are being monitored on a rotational basis, unless staff is in the immediate area, or a specific location is of concern. To-date, the focus has been on boxes located in Wards 1-3 (16 locations) with no violations being observed.

Operators and property owners where boxes are located are being made aware of their responsibilities in keeping the area around donation boxes clean and the consequences to them for non-compliance with City by-laws. In staff's opinion, conditions around donation boxes are improving, as many operators have increased their scheduled pick ups. Some operators are communicating regularly with staff, informing them of new box locations, including those of their competitors, and some are reporting "*hot spots*" for dumping.

**Public Works:**

An additional list of 94 problem areas was supplied by Public Works including alleys, City litter containers and curb side dumping. Surveillance of these additional areas has resulted in three Provincial Offences Notices (charges for dumping into City litter containers) and a further 16 charges (on City property) are pending. Public Works is also developing a policy to allow a fee to be charged back to the property owner for

**SUBJECT: Illegal Dumping, Litter and Escaped Waste - Update (PED11127(d))  
(City Wide) - Page 3 of 4**

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clean-up fees associated with dumped materials placed on City property. Public Works is also directing their staff to proactively attend and remove debris from alleys one day per week on a regular basis, thereby reducing the amount of waste complaints in these locations.

**CN Rail:**

Staff are working on a joint illegal dumping/trespassing initiative which involves representatives of CN Police and Hamilton Police Service. The following are the results to date:

- identification of suitable areas for posting “no dumping” and “no trespassing” signs;
- identification of the area between Stuart Street and Parkdale Avenue as a focus area for illegal dumping and trespassing;
- development of an operational plan for enforcement; and,
- an investigation of two specific sites resulting in two charges pending.

**Municipal Law Enforcement and Other Identified Areas:**

Staff is also using information gathered over the past two years to identify particular areas of concern that require surveillance, a majority of which are in the central lower City where a number of substantial charges are pending. Static surveillance cameras have been helpful in providing a foundation for activity in the area, but have not captured any identifiable individuals participating in the illegal activity. In addition, four charges are pending for items dumped on private property locations.

**Additional Details:**

“Project Trash Talk” is currently undertaking a very large scope operation. The first seven weeks have resulted in three charges being issued; a further 27 administrative cost charges (fees for service) are pending. Revenues generated to-date were \$1,615 (\$1,250 in fees and \$365 in fines), while expenditures including salaries and equipment were \$21,235. Therefore, the net operating cost (funded from the Tax Stabilization Reserve) was \$19,620. It is anticipated that revenue will continue to increase over the course of the project as pending charges proceed through the Courts.

Officers currently inspect all non-problematic area service requests for illegal dumping which has resulted in further compliance and issuing of two charges and three pending charges.

“Project Trash Talk” has resulted in a better focus to clean the City because of the team work of various City Departments in addressing this issue with a united front. Municipal Law Enforcement has developed and incorporated a new Illegal Dumping Policy and Procedure that will greatly assist with day-to-day enforcement activities.

**SUBJECT: Illegal Dumping, Litter and Escaped Waste - Update (PED11127(d))  
(City Wide) - Page 4 of 4**

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However, difficulties to-date include the hesitation on the part of civilian witnesses to testify in Court. In some cases this inhibits a charge from proceeding. In these circumstances only compliance or removal of items can be the result, and, as such, revenues in these circumstances will not be recovered.

“Project Trash Talk’s” education initiative includes poster development, a Cable 14 video available on the City’s website and airing on Cable 14. An interactive web page is also under development.

Continued education by the Operations and Waste Management Division of Public Works will encourage residents to contribute to the overall Waste Reduction Plan. The majority of waste discovered is recyclable and/or compostable under the current regulations. The concentration of residential violations remains in the Downtown core with general contracting debris found in all wards.

Staff will continue to assess the pilot program and will report back to Council with further updates before the September 24, 2013 expiry date.

GW/dt