



4.4

NEIGHBORHOOD SERVICES DEPARTMENT

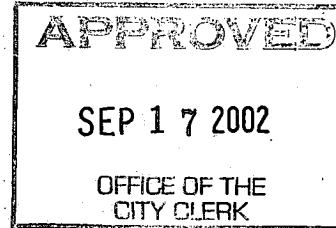
CITY OF SACRAMENTO
CALIFORNIA

1231 I Street, Suite 400
SACRAMENTO, CA
95814-2977

Max B. Fernandez
Area 1 Director

PH 916-264-7940
FAX 916-264-8937

August 28, 2002



City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Guidelines for Illegal Dumping Information Reward Program

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

This report recommends that City Council adopt the attached guidelines for the illegal dumping reward program.

CONTACT PERSON: Robert L. Rose, Chief of Code Enforcement, 264-5947.

FOR COUNCIL MEETING OF: September 17, 2002

SUMMARY:

On October 30, 2001, Sacramento City Code Chapter 13.10.200 was amended declaring that illegal dumping is a misdemeanor and suspected violators are subject to criminal prosecution. A mandatory minimum fine of \$500 was also established. The ordinance amendment also continues the provision for an illegal dumping information reward program in Chapter 13.10.200 (B). The program specifies a reward of five hundred dollars (\$500) to be "paid by the city to the person furnishing information to the authorities leading to the arrest and conviction of any person violating the provisions of this section." The attached reward distribution guidelines (Exhibit A) were approved by the Code Enforcement Ad Hoc Committee to be used as part of the Policy and Procedures of the illegal dumping information reward program. The Code Enforcement

City Council

RE: Guidelines for Illegal Dumping Information Reward Program

Division of the Neighborhood Services Department will be working with the Solid Waste Division of the Public Works Department to implement delivery of the revised reward program.

BACKGROUND:

The City of Sacramento continues to face a challenge with the issue of illegal dumping. The City Attorney's Office, City Code Enforcement, the Solid Waste Division, and the Police Department have made significant progress in their joint efforts for enforcement of the illegal dumping ordinance. Staff has been educating the public through community meetings and informational materials on the issue of illegal dumping. The amended reward program will hopefully provide further incentive for citizens to partner with the City in the fight against illegal dumping.

Guidelines were developed by the City Attorney and approved by the Code Enforcement Ad Hoc Committee for the illegal dumping reward program and are attached in Exhibit A. Key points of the guidelines include the following:

1. **Purpose** of the guidelines is to establish a reward program in order to issue rewards to persons who have supplied information that has led to the arrest and conviction of a violator of the illegal dumping ordinance.
2. **Authority** in accordance with Sacramento City Code Section 13.10.200(B).
3. **Defined Terms** of the reward program.
4. **Receipt of Information by Member of the Public** states that information shall be furnished by submitting a written or a verbal report, in the same manner as is used by the department in similar incidents.
5. **Designated City Departments** consist of the Sacramento Police Department and enforcement personnel of the Neighborhood Services and Public Works Departments as well as staff designated by the City Manager to serve as enforcement personnel.
6. **Response by City. Procedures.** Upon receipt of information regarding an illegal dumping violator, City staff shall respond in accordance with the applicable Policies and Procedures adopted by the department with regard to illegal dumping complaints. Such procedures shall include confirmation by a field inspection performed by a City employee.

City Council

RE: Guidelines for Illegal Dumping Information Reward Program

7. **Determination of Reward Eligibility** will be by the Neighborhood Services/Code Enforcement Manager or the Chief of Police or their designee(s). This decision will be based on whether or not the furnished information led to the arrest and conviction of the violator.
8. **Persons ineligible for Reward.** Revised as listed in the guidelines.
9. **Limits on issuance of Rewards.** Specified in the guidelines.

Code Enforcement will be coordinating the funding and implementation of the reward program. The revised program will increase the individual reward from one hundred dollars (\$100) to five hundred dollars (\$500) which will be furnished upon final approval of the Chief of Police or the Code Enforcement Manager or their designees. The revised reward program in conjunction with the increased penalty for illegal dumping (see SCC 8.52.190 punishable as a misdemeanor) shall enhance current anti-illegal dumping program efforts to diminish this blight in the City of Sacramento.

FINANCIAL CONSIDERATIONS:

The Illegal Dumping Information Reward Program will be funded through Code Enforcement's general fund budget for up to and including a total amount of \$2,500 per fiscal year. Ten rewards were distributed last year for a total of \$2,600, and two rewards have been distributed this year for a total of \$300. Since the inception of the program in 1996 (excluding 1999 which had no rewards), a total of \$13,750 in rewards has been distributed. The average total rewards per year has been approximately \$2,300.

As a result of the City's increased enforcement efforts, \$2,500 in illegal dumping fines have been assessed since November, 2001. These fines will help to partially off-set the cost of the reward program. Should the total rewards furnished for a fiscal year exceed Code Enforcement's general fund budget allocation of \$2,500, the Public Works Dept., Solid Waste Division will fund the additional rewards.

ENVIRONMENTAL CONSIDERATIONS:

There are no environmental considerations associated with this report.

POLICY CONSIDERATIONS:

This report requests that Council consider adoption as policy the attached recommended guidelines for distribution of rewards for information regarding illegal dumping.

City Council
RE: Guidelines for Illegal Dumping Information Reward Program

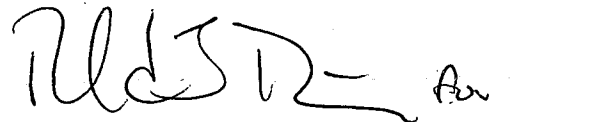
E/SBD ISSUES:

No goods or services are being purchased under this report.

Respectfully submitted,

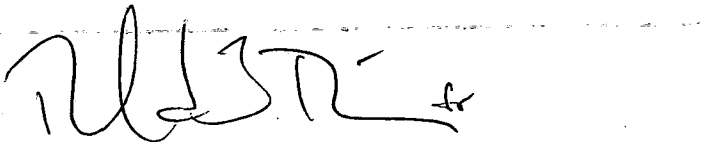


MAX B. FERNANDEZ
Director, Area 1
Neighborhood Services Department



RICHARD J. RAMIREZ
Deputy City Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

Attachment

CITY OF SACRAMENTO ILLEGAL DUMPING REWARD PROGRAM

**GUIDELINES FOR DISTRIBUTION OF REWARDS
FOR INFORMATION REGARDING ILLEGAL DUMPING
(SCC Section 13.10.200 et seq.)**

1. Purpose.

It is the intent of the Sacramento City Council to establish a clear and simple reward program to issue rewards to those persons who, acting outside the scope of their regular employment duties or other duties imposed upon them by law, furnish information to the authorities leading to the arrest and conviction of any person violating provisions of the applicable illegal dumping ordinances. The Reward Program is intended to encourage as many members of the public as possible to be watchful and vigilant regarding matters related to illegal dumping, and provide information to enforcement staff so that violators can be prosecuted to the full extent of the law.

2. Authority.

These guidelines are adopted in accordance with the procedures set forth in Sacramento City Code Section 13.10.200(B).

3. Defined Terms.

In addition to those terms defined in the Sacramento City Code, the following terms shall be defined as follows:

- a. "Authorities" shall mean the Sacramento Police Department, enforcement personnel of the Neighborhood Services Department, Public Works Department, or other designated staff;
- b. "Conviction" shall mean a verdict of guilty reached by a court or jury or a plea of guilty or no contest entered by the defendant;
- c. "Enforcement personnel" – shall for the purposes of this reward program only, mean the same as Law enforcement personnel as it is defined herein, and shall include those employees of the City of Sacramento or other public agencies whose responsibilities include maintenance of public property;
- d. "Furnished information" shall mean specific information regarding a specific violator and the violation for which they are responsible, received from a member of the public that results in an arrest and conviction of the violator for illegal dumping. In the event that two or more people furnish the same information, the reward will be divided evenly amongst all of the persons who furnished the same information.

CITY OF SACRAMENTO ILLEGAL DUMPING REWARD PROGRAM

- e. "Law enforcement personnel" shall mean those persons who are employed by the City of Sacramento or other law enforcement agency and whose duties include the enforcement of laws, codes, regulations and orders, apprehension of violators and the protection of the health, safety and welfare of the public.
- f. "Reward" shall mean payment of an amount of \$500.00 lawful money of the United States;

3. Receipt of Information by Member of the Public.

Members of the public shall furnish information to the authorities by submitting a written report or a verbal report, in the same manner as adopted by the department with regard to similar incidents.

4. Designated City Departments.

In addition to the Sacramento Police Department and enforcement personnel of the Neighborhood Services and Public Works Department, the City Manager may designate staff to serve as enforcement personnel.

5. Response by City. Procedures.

Upon receipt of information regarding an illegal dumping violator, City staff shall respond in accordance with the applicable Policies and Procedures adopted by the department with regard to illegal dumping complaints. Such procedures shall include confirmation by a field inspection performed by a City employee.

6. Determination of Reward Eligibility.

The determination as to whether a person is eligible to receive the Reward is to be determined by the Chief of Police, the Neighborhood Services/Code Enforcement Manager, or their designees. The decision on whether or not the furnished information led to the arrest and conviction of the violator shall take into account the following factors:

- a. Whether the information furnished directly led to an arrest of the violator without further need for investigation;
- b. Whether the information furnished included the name or identification of the violator;
- c. Whether the information furnished provided specific information about the identity of the violator, such as physical description and/or location, sufficient to lead law enforcement to be able to arrest the violator;

CITY OF SACRAMENTO ILLEGAL DUMPING REWARD PROGRAM

- d. Whether the information furnished included photographs or other evidence of the violation which resulted in leading law enforcement directly to the violator;
- e. Whether the information furnished, as determined by the Chief of Police, the Neighborhood Services/Code Enforcement Manager and/or their designees, is a significant factor in the arrest and conviction of the violator.

After consideration of the above-listed factors, the Neighborhood Services/Code Enforcement Manager or the Chief of Police or their designees shall make a recommendation to the City Manager regarding the issuance of a Reward.

7. Persons ineligible for Reward.

Those persons ineligible for the reward shall include:

- a. Those persons, including members of their families, who are determined by law enforcement to have in any way committed, participated, encouraged, allowed or facilitated the illegal dumping to occur;
- b. Corporations and other persons other than natural persons;
- c. Law enforcement personnel;
- d. City enforcement personnel;
- e. Public agency personnel responsible for enforcement of rules, regulations, laws, and codes, and members of their families;
- f. Public agency personnel responsible for maintenance and monitoring of public property, public areas and public rights of way, and members of their families;
- g. Security guards and similar personnel;
- h. Private personnel responsible for enforcement of regulations, monitoring and/or maintaining property and other areas, including apartment managers, resident managers, maintenance staff and similar personnel;
- i. The property owner and/or occupant whose property was used as the illegal dump site in the incident;

CITY OF SACRAMENTO ILLEGAL DUMPING REWARD PROGRAM

- j. The property manager of the property that was used as the illegal dump site in the incident.
- k. City employees, and/or members of their families.

8. Limits on issuance of Rewards.

- a. Recipients must be over the age of 18. In the event the witness is a minor, the Reward shall be furnished to the minor's parents and/or legal guardian.
- b. Only one Reward is to be paid out per person, per incident. The fact that the same person furnished two or more pieces of information that led to the arrest and conviction of a violator shall not result in the issuance of additional Rewards.
- c. In the event that one or more persons furnish identical information leading to the arrest and conviction of the violator, as determined by the Chief of Police, the Code Enforcement Manager or their designees, the Reward shall be evenly divided among those persons.
- d. In an effort to ensure that sufficient funds are available and encourage as many different members of the public as possible to be vigilant about illegal dumping issues, there shall be a limit of no more than five (5) separate rewards, or partial rewards, with a total sum of \$2,500.00, payable to any single person per calendar year.

9. Changes to Reward Guidelines.

~~Any changes to these guidelines shall be at the recommendation of the City Manager, as adopted by the City Council.~~

10. Effective Date.

These guidelines and/or subsequent revisions shall go into effect immediately upon adoption by the City Council.