



CITY COUNCIL

**Darryl Moore**  
Councilmember District 2

CONSENT CALENDAR  
December 17, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmember Darryl Moore, District 2  
Subject: Revising the Berkeley Municipal Code to More Effectively Address Illegal Dumping

RECOMMENDATION

Direct the City Manager to propose potential revisions to the Berkeley Municipal Code to better address illegal dumping in the city.

BACKGROUND

Illegal dumping has historically been an issue in Berkeley, particularly in the areas near campus and industrial West Berkeley. The current ordinance in the Berkeley Municipal Code (BMC) provides some enforcement mechanisms for illegal dumping, but parts of the ordinance are vague or puts the onus on the owner of the property. Many communities in Berkeley are plagued with perpetual illegal dumping and the city spends a considerable amount of money cleaning illegal dumping sites. Changes to the portion of the ordinance dealing with illegal dumping that would refine the language and establish harsher penalties for those perpetrating the dumping would help to discourage illegal dumping generally, particularly organized dumping operations that are responsible for a significant portion of the dumping in the city.

Oakland recently passed a number of measures that created stiffer penalties for those caught dumping within city limits. This has the potential of causing the problem of illegal dumping to spill over the borders into Berkeley if the BMC does not keep pace with its neighbors.

FISCAL IMPACTS OF RECOMMENDATION

Unknown

CONTACT PERSON

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Attachments:

- 1) Oakland's "Illegal Dumping Remedies and Penalties"
- 2) New Oakland Municipal Code Chapter 8.11 and amended and restated chapter 9.56
- 3) Supplemental Proposed Modification to Illegal Dumping Definitions