



# AGENDA REPORT

**TO:** City Council  
City Administration and the public

**FROM:** Councilmember Zac Unger  
and Mayor Barbara Lee

**SUBJECT:** Ordinance to Strengthen Illegal  
Dumping Enforcement

**DATE:** 3/12/26

## RECOMMENDATION

### **Recommendation That the City Council APPROVE**

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTION 8.11 (ILLEGAL DUMPING) TO: (1) INCREASE FINES AND PENALTIES FOR ILLEGAL DUMPING, INCLUDING FOR VEHICLE OWNERS WHO ALLOW THEIR VEHICLES TO BE USED BY THOSE WHO ENGAGE IN ILLEGAL DUMPING; (2) ESTABLISH TRANSPORTING WASTE IN A VEHICLE WITHOUT A LICENSE PLATE AS AN OFFENSE; AND (3) OTHER AMENDMENTS TO INCREASE ENFORCEMENT AGAINST ILLEGAL DUMPING

## EXECUTIVE SUMMARY

Illegal dumping is a serious violation which harms our communities in multiple ways, including damaging public health, impeding pedestrian access, undermining economic development and business success and harming our neighborhoods. Oakland's personnel and leadership are committed to keeping the town clean and remedying the problem of abandoned trash and illegal dumping, and protecting our communities, including those who are impacted by disproportionate problems related to trash on the sidewalks, streets, parks, waterways, and more.

This ordinance is based on best practices shared through Statewide, County-level, and Bay Area Regional Illegal Dumping task forces, reports, and Conventions, and multiple years of research and analysis. Key recommendations include: making sure people have access to, and know about, proper and available methods for getting rid of excess trash, avoiding the use of fraudulent haulers who charge people to take their trash to the dump and then instead dump it on our communities, increasing the dollar amount of the penalties for illegal dumping to deter people who think they can profit by dumping on our communities, making it easier to issue and collect penalties, and holding vehicle owners responsible if they allow their vehicle to be used by

someone who engages in illegal dumping. In addition, the ordinance prohibits transporting waste through Oakland in a vehicle that lacks required license plates, to hold violators accountable for their actions. This provision refers to those who are transporting significant amounts of waste that were placed into the vehicle for disposal – and not, for example, small items such as empty candy wrappers from the vehicle occupant’s own use. In addition, both the Countywide recommendations, and the Oakland ordinance, provide for an option for people who receive a citation, to perform community service in lieu of paying the penalty.

## **BACKGROUND / LEGISLATIVE HISTORY**

The impacts of illegal dumping on Oakland are profound. Oakland receives roughly 25,000 requests for service related to dumping per year and is able to clean up around 9,000 tons of material per year. Year to year we have seen the issue of dumping get worse, with service request increasing each of the last 3 years.<sup>1</sup> With regard to City spending, OPW’s FY26 budget includes approximately \$28.2 million in funding for the divisions directly responsible for abating and enforcing illegal dumping.<sup>2</sup> This includes more than \$1.5 million in new investments to expand enforcement and education.

Illegal dumping also harms public infrastructure, the environment, and human health and safety. These costs are more difficult to quantify but no less significant and are disproportionately borne by Oakland’s historically disinvested communities.

Illegal dumping is an issue across all major cities across California, and Oakland is no exception to this problem. For instance, out of the thousands of dumping requests that have been made to 311 in 2025, only 270 citations were handed out with only around 30 of those being paid.<sup>3</sup> This shows the problems Oakland faces in identifying dumpers, in collecting penalties for dumping, and the lack of consequences for dumping do not dissuade people from doing it. It’s these problems we intend to address with this legislation.

Over the years, numerous cities, counties, State agencies and others have attempted a variety of strategies to prevent illegal dumping, and hold violators accountable. Alameda County Supervisor Nate Miley has hosted convenings of leaders in this subject matter, at the County, Statewide, and Bay Area Regional level, in which best practices and innovations are shared and discussed. In addition, other agencies, such as CalRecycle, the Mattress Recycling Council, and Stopwaste.org have hosted meetings, published reports, and held discussions of strategies to remedy and prevent illegal dumping.

This work has included presentations about enforcement strategies, to help shape best practices and recommendations. At the 2025 Bay Area Regional Convening on Illegal Dumping, Supervisor Nate Miley and his team shared recommendations for legislation to be adopted by local jurisdictions (cities and counties) to use the local issuance of administrative citations to

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<sup>1</sup> <https://www.sfchronicle.com/eastbay/article/trash-garbage-dumping-oakland-21022346.php>

<sup>2</sup> <https://www.oaklandca.gov/Government/Finance-Budget/Budget/Fiscal-Year-2025-2027-Budget>

<sup>3</sup> Oakland Public Record Request #26-1676

hold violators accountable, to help deter dumping and send a message not to abandoned trash on our communities.

The model ordinance states:

“Article I — Findings and Purpose: Declaration of Public Policy  
The [Governing Body] finds and declares that illegal dumping is a public nuisance that threatens public health, safety, property values, and the environment. This Chapter is adopted to: (1) prohibit illegal dumping within the [Jurisdiction]; (2) provide administrative and criminal remedies and penalties to deter illegal dumping; (3) recover the public costs of investigating, abating and removing illegally dumped waste; and (4) require responsible disposal practices by waste generators and haulers.”<sup>4</sup>

One of the causes of illegal dumping is the profit of unethical haulers, who advertise themselves as junk hauling services who take payment from residents to haul their waste to the dump, and then commit illegal dumping and pocket the dump fees rather than engage in proper and lawful disposal. By providing financial deterrent, the City can act to remove the profit from illegal dumping, by making sure the fines are high enough to motivate people not to illegally dump in Oakland, and to ensure that the fines and citations are easy to issue and to collect, so that those responsible for these harms are held responsible, which helps deter violations and sends the message that Oakland will not tolerate it. In addition, community members looking to hire a hauler are encouraged to confirm that a potential hauler has a local business license, and to get a dump receipt, to help make sure they are using someone who will not dump the trash on our communities.

## **ANALYSIS AND POLICY ALTERNATIVES**

Remedying illegal dumping is often described as being made up of three components, in terms of the “3 E’s” – consisting of Education, Eradication, and Enforcement.

**Education** includes community outreach and sharing public information about proper ways to dispose of excess waste. For example, in Oakland, all households can schedule, each year, a free bulky waste pickup from their house or apartment, and a free bulky waste drop-off to the Davis Street Transfer Station, through Waste Management. Both tenants and homeowners now have the ability to schedule appointments directly with Waste Management (WM) for their free annual bulky pickup, and free annual bulky drop-off. Making this information widely available, and ensuring the appointment phonenumber and website are working effectively and accessible, including in multiple languages, are components Educational efforts, to help reduce illegal dumping, and provide information about available and legal disposal methods.

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<sup>4</sup> [https://district4.alamedacountyca.gov/wp-content/uploads/sites/14/2025/10/Model-Ordinance\\_Illegal-Dumping\\_FINAL.pdf](https://district4.alamedacountyca.gov/wp-content/uploads/sites/14/2025/10/Model-Ordinance_Illegal-Dumping_FINAL.pdf)

Oakland residents can learn more about available free bulky waste service, and can book an appointment for bulky waste removal, online at: <https://www.oaklandrecycles.com/bulky-service/> or by calling 1-888-WM-BULKY.

In addition, education includes warning people about the harms and costs of illegal dumping, and the risks of facing significant penalties for violations, as well as warning people about the risk of hiring unethical illegal haulers who may be offering what seems like a good price to haul waste to the dump, but in fact are simply engaging in illegal dumping on our communities and pocketing the money for themselves. Residents can reduce these risks both by using the free Waste Management bulky services, and, if people do hire other household clean out haulers, making sure those haulers have a valid business license, and making sure they are truly taking materials to the dump before making final payment.

**Eradication** refers to cleaning up dumping, removing trash, keeping streets, sidewalks, parks etc clear of trash and illegal dumping. Effective and timely eradication can also help prevent more illegal dumping, since when people see dumping in public places, they may think they too can dump there. Oakland spends significant funds on eradication, deploying crews to remove illegal dumping. Strategies to strengthen eradication are also underway. If illegal dumpers are allowed to get away with it and continue dumping, it would be difficult to keep up with the dumping. Thus, in order to make eradication more effective, in addition to supporting eradication efforts with personnel, equipment, and technology, it is also important to help prevent and deter further dumping, and thus, to engage in enforcement to penalize illegal dumpers.

**Enforcement** includes identifying those responsible for illegal dumping, and issuing and collecting fines and penalties. Identifying those responsible uses multiple techniques, including witness statements and video and photos submitted by witnesses and community members, catching illegal dumpers on cameras such as those used by Oakland Public Works (OPW), Environmental Enforcement Unit, and can include identifying the source of the materials such as review of dumped materials for identifying information, identifying the vehicle used through footage and witnesses, and identifying the originating real property. Cameras and related technology can be used to identify license plates, which allows for staff to identify the vehicle owner to help hold them accountable. The technology used by Oakland Public Works for such efforts has already been approved and authorized by both the Privacy Advisory Commission and the Oakland City Council.

One of the important best practices recommended in the Alameda County Model Illegal Dumping Ordinance is to ensure that all of the responsible people are held accountable, so that if someone hires an illegal dumper, both the person doing the hiring and the person doing the dumping are held accountable. **Since the majority of illegal dumping is committed using a vehicle**, making sure vehicle owners and operators are held accountable is significant in deterring illegal dumping.

This ordinance is focused primarily on the **enforcement** aspect of remedying illegal dumping, while further efforts and proposals, beyond this ordinance, are aimed at strengthening eradication and education. The proposed Ordinance amendments strengthen the ability of the City of Oakland to hold those accountable who are involved at any stage in illegal dumping, including

for vehicle owners and operators, both when someone uses a vehicle themselves for illegal dumping, and if someone allows someone else to use their vehicle for illegal dumping. In addition, the ordinance makes it a violation to transport waste in a vehicle lacking required license plates, thus ensuring violators can be held accountable when no license plate is present on the vehicle.

Additionally, this legislation would be aided further in its **enforcement** mechanisms by SB 1218, proposed at the State level by Senator Jessie Arreguín. SB 1218 would amend the CA Vehicle Code to require any dumping violations to be paid before DMV vehicle registration can be complete.<sup>5</sup> This adds an additional enforcement mechanism to further strengthen this legislation, ensure compliance, and dissuade individuals from dumping.

These recommendations are based on the suggested best practices of focusing on administrative enforcement rather than criminal enforcement.

One of the recommendations and insights which has been shared by multiple presenters at the annual Illegal Dumping Conventions, is the importance of cities using Administrative citations to respond to illegal dumping more effectively. The recommendation is based in part on the recognition of the high cost, long timelines, and difficulty of relying primarily on criminal enforcement to pursue illegal dumpers. Presenters, including county and city leaders, and environmental enforcement personnel, have shared that focusing primarily on criminal prosecution had not been effective due to the time delays involved, and that fewer people end up being held accountable. Thus, a recommended best practice focuses on strengthening the use of Administrative Citations for illegal dumping enforcement, which can be issued through a simpler and more rapid process. These ordinance amendments help advance this recommendation.

For example, California's Department of Resources Recovery and Recycling (CalRecycle) stated:

“Local jurisdictions are finding that administrative law procedures are an effective and efficient tool to obtain monetary settlements and the timely abatement of illegal dumping. Fines in some jurisdictions increase significantly for multiple convictions and are more severe if illegal dumping involves commercial quantities.”<sup>6</sup>

By using Administrative Citations, cities can move more quickly, can act themselves, and can issue penalties to a larger number of people, and collect fines more effectively, thus helping to establish and spread a norm that if people engage in illegal dumping, they will be held accountable.

Thus, this recommended Ordinance Amendment incorporates these recommended best practices. The option to pursue criminal penalties is still preserved in the law, and can continue to be used, especially for more egregious or repeated violators. And, in order to strengthen the city's direct

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<sup>5</sup> <https://sd07.senate.ca.gov/news/press-release-new-bill-will-hold-illegal-dumping-violators-accountable>

<sup>6</sup> <https://calrecycle.ca.gov/illegaldump/enforcement/#Administrative>

enforcement power through Administrative Citations, the dollar amounts of the Administrative citations are increased, so they will serve as a more effective deterrent against those seeking to commit illegal dumping for financial motives. In addition, the Administrative Citation process is streamlined, to make it easier both to issue, and to collect, illegal dumping citations, and the accountability of vehicle owners and operators for dumping committed with vehicles is strengthened. The option for people to perform community service in lieu of paying a penalty is also included.

An additional significant recommendation, which has been implemented by multiple cities, and presented at the Bay Area Regional Convening on Illegal Dumping, is to increase the dollar amounts of the penalties, to ensure that people do not profit by engaging in illegal dumping, and that the fines provide a disincentive to engaging in illegal dumping for profit. Incorporating feedback from the City of Oakland's Revenue team, and examples from other jurisdictions, these recommended amendments increase illegal dumping penalties, and streamline the process to issue them, including by removing the need to establish a "major" versus "minor" violation to issue a penalty. The new penalty amounts recommended in these ordinance amendments would establish rates of: up to \$1,500 for a first offense, up to \$3,000 for a second offense, and up to \$5,000 for a third or subsequent offense. Other local jurisdictions throughout our region have increased penalties in recent years to support efforts to prevent and penalize illegal dumping, including, for example, Daly City<sup>7</sup>, San Jose<sup>8</sup>, and Santa Cruz County<sup>9</sup>.

## **FISCAL IMPACT**

These ordinance amendments, by strengthening the citations the City of Oakland can issue for illegal dumping, seek to deter and prevent illegal dumping, and hold accountable those who engage in such violations. When illegal dumping is prevented, this can strengthen economic vitality and business development, thus improving Oakland's fiscal status, as well as the payments providing positive fiscal impact for the City of Oakland budget and help support vital public services. By promoting healthy and lawful practices, and holding accountable those who dump on Oakland, the amendments help strengthen community vitality and attract residents, businesses, and customers. Expanding access to, and use of, appropriate waste disposal methods, can also improve business climate and community well-being.

## **PUBLIC OUTREACH / INTEREST**

Public outreach and community input regarding these ordinance amendments has come from multiple sources, including many strong expressions of community interest in preventing and remedying illegal dumping<sup>10</sup>. This includes comments and input shared at a Faith in Action East Bay meeting at Allen Temple Baptist Church with many hundreds of participants, the large Bay Area Regional Illegal Dumping Convening hosted by Alameda County Supervisor Nate Miley,

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<sup>7</sup> <https://www.dalycity.org/990/CLEAN-Daly-City>

<sup>8</sup> <https://sanjosespotlight.com/san-jose-considers-increasing-illegal-dumping-fines>

<sup>9</sup> <https://lookout.co/county-dramatically-increases-illegal-dumping-fines>

<sup>10</sup> <https://oaklandvoices.us/2024/02/06/its-not-just-what-you-see-illegal-dumping-is-affecting-peoples-lives/>

meetings of the Statewide Illegal Dumping Technical Advisory Committee (IDTAC), input from meetings with neighborhood associations and community groups, examples from other jurisdictions, and more.

### **COORDINATION**

Coordination on this effort has included leadership of Oakland Public Works (OPW), the Environmental Enforcement Unit (EEU), Oakland Finance Department, Revenue Personnel, City Administrator's Office, Project Manager for Illegal Dumping, Department of Race and Equity, City Attorney's office, and Alameda County, Bay Area Regional, and CalRecycle recommendations.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** By reducing the use of unethical haulers, and promoting responsible practices, and preventing illegal dumping, these ordinance amendments can help strengthen Oakland's economy, including by creating an environment that is more welcoming and conducive to residents, businesses and customers.

***Environmental:*** By reducing waste on the streets, sidewalks, waterways, parks and other public areas, these ordinance amendments can help improve environmental quality, and reduce hazardous runoff into our waterways, green spaces, and air. Illegal dumping attracts insects, rats, and other animals that carry diseases and can contaminate water and cause serious health issues. Another example of the impacts of illegal dumping is soil contamination, which occurs when hazardous chemicals meet the soil, and so, laws to help prevent illegal dumping also help protect the environment.

***Race & Equity:*** Illegal dumping and abandoned trash have been over-concentrated disproportionately on lower-income neighborhoods, and especially in Black and Latino communities<sup>11</sup>. The dumped piles of waste create blight, attract other trouble, and worsen public health and neighborhood ambiance, and undermines respect for impacted communities. By helping to prevent and remedy illegal dumping, these ordinance amendments will help remedy these inequities.

Staff has worked with the Department of Race and Equity to ensure the ordinance is applied equitably across Oakland. This includes asking the City Administrator to establish mechanisms to measure enforcement and penalties in priority areas, and a requirement to report to council about fines, the cost of enforcement and cost of collections related to priority areas marked in the Geographic Equity Toolkit. The City Administrator is also directed to initiate an illegal dumping problem-solving process that is driven by root cause analysis of the chronic presence of trash in priority areas of the City as defined by the Geographic Equity Toolkit to develop parallel

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<sup>11</sup> Informational Report on Equitable Illegal Dumping Efforts. From: Oakland Public Works Department <https://oakland.legistar.com/LegislationDetail.aspx?ID=6564219&GUID=8594E780-F33F-4F88-8A47-B690018D679C>

comprehensive strategies that address complex challenges. In addition, the ordinance also provides an option for community service in lieu of paying the financial penalty.

**ACTION REQUESTED OF THE CITY COUNCIL**

Recommendation That the City Council ADOPT:

ORDINANCE AMENDING OAKLAND MUNICIPAL CODE SECTION 8.11 (ILLEGAL DUMPING) TO: (1) INCREASE FINES AND PENALTIES FOR ILLEGAL DUMPING, INCLUDING FOR VEHICLE OWNERS WHO ALLOW THEIR VEHICLES TO BE USED BY THOSE WHO ENGAGE IN ILLEGAL DUMPING; (2) ESTABLISH TRANSPORTING WASTE IN A VEHICLE WITHOUT A LICENSE PLATE AS AN OFFENSE; AND (3) OTHER AMENDMENTS TO INCREASE ENFORCEMENT AGAINST ILLEGAL DUMPING

For questions regarding this report, please contact Matthew Malsin, Policy Advisor to Councilmember Zac Unger, at [mmalsin@oaklandca.gov](mailto:mmalsin@oaklandca.gov)

Respectfully submitted,



Mayor Barbara Lee



Zac Unger  
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