



## MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

From: Alice Kennedy, Housing Commissioner

Date: January 10th, 2024

### **Re: City Council Resolution 22-0143R Informational Hearing - Illegal Disposal of Used Tires**

The Department of Housing and Community Development (DHCD) has reviewed City Council Resolution 22-0143R Informational Hearing – Illegal Disposal of Used Tires for the purpose of inviting the Director of Public Works and the Director of the Department of Housing and Community Development’s Code Enforcement Division to meet with the City Council to discuss the scope of illegal disposal of used tires in the City, problems that arise as a result of illegal disposal of used tires, and proposed solutions to illegal disposal of used tires.

City Council Resolution 22-0143R calls on the Department of Housing and Community Development’s Deputy Commissioner of Housing Code Enforcement & Emergency Operations, and the Director of Public Works to discuss the issue of illegal disposal of used tires and to coordinate possible solutions to the problem before the City Council.

The Council's interest in combating illegal dumping is shared by DHCD and our priorities around enhancing the city's livability, and dedication to a cleaner, safer Baltimore. DHCD’s approach to the problem of the illegal disposal of used tires aligns with the agency’s overall approach to combating illegal dumping and sending a strong message that it's not acceptable to dump in Baltimore and that offenders will be caught and held accountable.

#### Background

Illegal dumping is the disposal of waste without the knowledge or consent of the property owner. DHCD’s Special Investigations Unit (SIU) investigate and issue Environmental Control Board Citations for the offense of illegal dumping. SIU Investigators are also able to file misdemeanor criminal charges against dumpers in Baltimore City District Court. The Code Enforcement team issues citations for sanitation issues such as improper disposal while the SIU team investigates larger complaints such as construction debris, multiple bags of trash and bulk items such as used tires. Investigations are initiated through 311 complaints, reports from community members, at the request of elected officials or sister agencies, and by the proactive discovery of investigators already on duty. SIU also conducts regular proactive inspections of known illegal dumping hotspots. Once DHCD’s Special Investigations Unit has investigated an illegal dumping site, the matter may be referred to DPW to remove the illegally dumped debris. Some 311 complaints are

referred directly to DPW such as dirty street or dirty alley requests, which go straight to DPW and are not assessed by DHCD.

DHCD deploys a variety of surveillance technologies in pursuit of capturing illegal dumping. The agency owns and operates motion-activated cameras and has Investigators working daily to monitor and investigate the dumping captured.

Camera locations are installed in areas that are found to be used for illegal dumping based on 311 calls, community complaints, agency referrals, the work of our investigators in the field and the suitability of the location. Cameras are not a viable option for all possible dumping locations due to geography or activity level. As the cameras are motion sensing and battery operated, too much vehicular or foot traffic will fill the camera's data storage and drain its battery before dumping occurs.

In the past year, DHCD has intensified efforts to combat illegal dumping and maintain the city's cleanliness with the addition of 30 new high-tech cameras into our surveillance network to target notorious dumping hotspots. Within the first week of expanded deployment in August 2023, the cameras captured and identified eight illegal dumpers, leading to swift legal actions. The numbers surged to 15 incidents in the subsequent weeks, culminating in two convictions. Other cases remain under active investigation.

The Special Investigations Unit (SIU) is a unit within DHCD's Permits and Litigation Section. They investigate large-scale dumping complaints and work to criminally prosecute illegal dumpers and issue environmental citations. If criminal charges are brought, fines vary based on the weight or volume of the litter. Those found guilty may be subject to up to \$50,000 in fines, up to 5 years imprisonment, forfeiture of their vehicle, points on their Driver's License, loss of city held licenses and permits, loss of City contracts, court ordered community service or restitution for cleanup costs. In most cases the defendant receives probation before judgement, a fine and 50 to 100 community service hours dedicated to trash pick-up.

DHCD's Special Investigations Unit face some obstacles to catching illegal dumpers. To prosecute an individual for illegal dumping we need sufficient evidence to prove beyond a reasonable doubt that the person committed the crime. SIU investigators utilize eyewitness accounts, motion-activated cameras, and identifying information found on site. It is often difficult to prove who did the actual dumping but anytime we have enough evidence that a person dumped we file criminal charges. It is particularly challenging with illegally dumped tires which don't often have identifying information that could lead us back to the offender. DHCD presently has 10 SIU investigators, who are instrumental in handling various tasks, including illegal dumping investigations, zoning issues, and licensing enforcement.

When specifically addressing illegal tire dumping, much of the oversight of tire businesses lies with the Maryland Department of the Environment. The State oversees the scrap tire cleanup fund and enforcement around the storage, transport and disposal of used and scrap tires. Their

enforcement focuses on the illegal disposal of used tires specifically by official businesses accepting these items, and not on tire dumping in general.

### Conclusion

DHCD appreciates the opportunity to discuss the illegal disposal of used tires with the City Council and the Department of Public Works in an effort to more effectively understand, and reduce the occurrence of, this ongoing issue. DHCD's investigative division, operational since 2009, has evolved with technology, deploying cost-effective cameras with enhanced efficiency.

The 30 recently purchased cameras will help to build evidence and pursue illegal trash disposal cases in housing court ensures focused attention and enables dedicated DHCD attorneys to prosecute criminal dumping cases more effectively. DHCD urges residents to use legal channels for waste disposal, emphasizing [five residential drop-off centers](#), [regular trash pickups](#), [recycling initiatives](#), [a small hauler program](#), and [bulk trash collections](#).

DHCD **supports** the passage of City Council Resolution 22-0143R

*AK/sm*

*cc: Ms. Nina Themelis, Mayor's Office of Government Relations*