

FROM	NAME & TITLE	Robert Cename, Deputy Finance Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall		
	SUBJECT	City Council Bill 23-0419 ("Study and Report – North Franklinton Road")		

DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400

February 26, 2024

Position: Opposes

The Department of Finance is herein reporting on City Council Bill 24-0419, Study and Report – North Franklinton Road, the purpose of requiring that the Department of Public Works submit a report to the Mayor and City Council evaluating the effectiveness of closing the portion of North Franklinton Road extending through Leakin Park to deter illegal dumping; specifying the contents of the report; and providing for a special effective date.

Background

The disposal of any waste in an area not designated for such disposal is considered “illegal dumping.” This includes dumping at corner cans, in parks, in alleys, in yards of homes, and in lots of buildings. Illegal dumping is considered the dumping of large quantities of material ranging from large bags to building materials and bulky items. Currently, the fine for an illegal dumping citation is \$1000.

The Department of Public Works estimates that approximately 10,000 tons of waste are illegally dumped annually. Illegal dumping is a persistent issue in Baltimore City and leads to many negative impacts on the environment and the health of communities. In addition to its potential to contaminate the soil, surface water, and groundwater, illegal dumping creates various health hazards for residents living in close proximity to dump sites.

It is difficult to profile a typical illegal dumper; however, offenders can include construction companies, landscapers, scrap collectors, unpermitted small haulers, and local residents. Illegal dumping generally takes place in more secluded locations, on vacant lots or homes, back alleys, and wooded areas. It is more common in areas with a high number of vacant homes or areas with transient populations that may not be familiar with trash collection schedules or other services.

The City dedicates extensive resources to prevent and respond to all types of illegal dumping, such as proactive cleaning, community education, and outreach communications. These measures are all key to working with residents to maintain public spaces and reduce incidents of illegal dumping. In addition, the City invests in enforcement of illegal dumping laws. While any agency with citation authority is able to issue a citation for illegal dumping, the Department of Housing and Community Development (DHCD) is the main agency that issues citations for illegal dumping through their Housing Code Enforcement Division, with a total budget in Fiscal 2024 of approximately \$14 million. The Environmental Control Board (ECB) holds hearings on citations issued for illegal dumping and other environmental citations. These hearings can result in citations being upheld or fully or partially abated. ECB’s Fiscal 2024 budget is approximately \$1.81 million.

Fiscal Impact

The Department of Finance believes this legislation will have a significant expense for the City. The Department of Transportation estimates that studying traffic flows along the road would need to be outsourced and which would cost between \$25,000 and \$75,000. In addition, further study either by the Department of Transportation or another Department may be necessary depending upon the findings of the first study.

Other Considerations

The proposed legislation would require the City to study blocking off a road that may inhibit Baltimore City residents' ability to access the park. Furthermore, privately owned land (4601 North Franklinton Road) abuts the portion of the road in question.

Conclusion

While illegal dumping is a serious issue for Baltimore City, this legislation would be an expensive legislative mandate. The Department of Finance recommends another avenue for policy action, one that does not proscribe costs.

For the reasons stated above, the Department of Finance opposes City Council Bill 23-0419.

cc: Michael Mocksten
Nina Themelis