



Director's Rule

Title Enforcement of Illegal Dumping Violations	Number CLN-250	Rev. no. 0
Responsibility People, Culture and Community Branch, Clean City Division	Supersedes N/A	Pages 3
General Manager/CEO Signature  <small>Andrew Lee (Nov 15, 2023 16:00 PST)</small>	Approval Date Nov 15, 2023	Effective Date November 17, 2023

A. PURPOSE

This Director's Rule shall provide the administrative process to enforce illegal dumping violations on public property such as streets and alleys and right-of-ways, such as sidewalks and planting strips.

If any part of this Director's Rule or any associated policy and/or procedure conflicts with the Seattle Municipal Code, Chapter 21.36 Solid Waste Collection, the Code shall prevail. The remaining nonconflicting features of this Rule shall remain in effect.

B. GUIDING PRINCIPLES

- Enforcement process is intended to decrease illegal dumping, provide a convenient and clear enforcement process and reduce Seattle Public Utilities (SPU) resources spent on abating illegal dumping.
- Enforcement effort will be performed through public education, investigation of illegal dumping incidents, issuing notices of violations with associated penalty, cleaning up the area and providing a fair and impartial hearing process.
- Enforcement actions may be communicated and coordinated with agencies having a specific enforcement authority related to the violation.
- Community and employee health and safety shall be paramount in the execution of this Rule and associated procedures.

C. ILLEGAL DUMPING ENFORCEMENT PROGRAM

Residential and commercial customers are encouraged to report cases of illegal dumping on public property so that sites can be cleaned up. Reporting methods include the following:

- Find It, Fix It mobile app
- Illegal Dumping Hotline: 206-684-7587
- Online illegal dumping report form

Public outreach activities for the program shall be active and meaningful, and performed among residents, businesses, and property owners. Outreach and engagement shall be an ongoing part of the program.

D. APPLICATION OF ENFORCEMENT AND PENALTY

SPU may issue violations of SMC 21.36.920 for anyone who unlawfully dumps, throws, or places solid waste on any public property, as authorized by Code. Violators shall be subject to a penalty in the amount designated by Code.

E. INVESTIGATION AND NOTICE OF VIOLATION

An illegal dumping investigation requires a photo of the vehicle license plate of the responsible party or other compelling evidence, including, but not limited to, admission, videos or eyewitness reporting.

- A deterrent letter may be issued to the responsible party.
- A notice of violation may be issued to the responsible party or to the registered owner of the vehicle or trailer identified during the investigation. The notice of violation shall state separately each standard or requirement violated, shall state what corrective action, if any, is necessary to comply with the standards or requirements; and penalties assessed.
- The notice shall be served by certified mail, addressed to the last known address of responsible person(s).
- A notice of violation may be amended at any time to:
 - Correct clerical and other errors, or
 - Cite additional authority for a stated violation

F. FINES

Description	Fine
Base fee: No previous similar violations	\$100
Base fee: One or more previous similar violations within the past 12 months	\$500
Up to 400 pounds	\$200, plus base fee and cleanup costs
400 pounds up to 1,000 pounds	\$500, plus base fee and cleanup costs
1,000 pounds to 3 tons	\$1,500, plus base fee and cleanup costs

G. NOTICE OF VIOLATION APPEAL TO DIRECTOR

A responsible party may submit a request for an appeal review. The SPU Hearing Officer is authorized to act as the designee for appeal reviews on behalf of the General Manager/Chief Executive Officer.

- Appeals must be submitted to the SPU Illegal Dumping Enforcement Program Manager in writing (email or mail) within ten (10) business days from the date of the Notice of Violation.

- Appellants should clearly describe the nature and reason for the appeal, including specific action(s) being disputed and what corrective action or relief is being sought.
- Upon receipt of the appeal, the Illegal Dumping Enforcement Program Manager will send a confirmation letter to the appellant acknowledging the request, providing a deadline for additional document submittal (15 business days), and an explanation that the SPU Hearing Officer will be the point of contact for the appeal process.
- After the document submittal deadline, the SPU Hearing Office will begin the hearing and appeals process by conducting an objective and independent review of the appeal in accordance with the Hearing Office's procedures. The appellant will be provided the opportunity for an optional one (1) hour hearing, whether by telephone, video, or in person.
- Once the Hearing Officer issues a final administrative decision the Illegal Dumping Enforcement Program Manager and Appellant will be notified and receive a copy of the findings. Final decisions issued by the Hearing Officer are not subject to further appeal.

H. REPORTING

SPU shall review illegal dumping violations to identify and resolve issues. An Illegal Dumping report shall be submitted to the People Culture, and Community Deputy Director on an annual basis.

I. AUTHORITY/REFERENCES

- SMC 21.36.018, Enforcement Authority
- SMC 21.36.410, Littering
- SMC 21.36.415, Discarding Potentially Dangerous Litter
- SMC 21.36.420, Unlawful Dumping of Solid Waste
- SMC 21.36.425, Accumulation of Solid Waste
- SMC 21.36.920, Violation, Penalty
- SMC 21.36.921, Investigation and Notice of Violation, Right to Appeal
- SMC 21.36.965, Identification
- SMC 21.36.975, Cost to Reimburse
- SMC 3.32.020, Adoption of Rules
- SMC 3.32.030, General Manager and Chief Executive Officer Duties
- Clean City Division, Illegal Dumping Enforcement Program Job Aid