

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

August 20, 2019

**FROM**

**TERRI RAHHAL, Director, Land Use Services Department**

**SUBJECT**

Adoption of an ordinance related to littering and illegal dumping

**RECOMMENDATION(S)**

Adopt **Ordinance No. 4367** repealing Chapter 2 of Division 7 of Title 3 and adding Chapter 8 of Division 8 of Title 2 of the County Code relating to littering and illegal dumping, which was introduced on August 6, 2019, Item No. 55.

(Presenter: Andy Wingert, Code Enforcement Chief, 387-8178)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of the proposed ordinance will not result in the use of Discretionary General Funding (Net County Cost). Adequate appropriation to complete this action has been included in the Land Use Services Department's (LUS) 2019-20 budget.

**BACKGROUND INFORMATION**

The purpose of the proposed ordinance is to improve deterrents to littering and illegal dumping, which impact public health and safety, as well as the environment. Illegally dumped waste quickly becomes hazardous to the environment, and litter frequently becomes a public nuisance.

The current County Code does not address littering. Anyone who litters in unincorporated areas of San Bernardino County can only be cited with a violation of the Penal Code. In San Bernardino County, only peace officers are authorized to enforce the littering provisions of the Penal Code. Adoption of the proposed ordinance will make littering a violation of the County Code, which may be enforced by County Code Enforcement Officers in addition to peace officers. As with other County Code requirements, the proposed ordinance would make administrative citations and other administrative and civil remedies available for staff to take enforcement actions in response to littering and illegal dumping. The proposed ordinance also involves some reorganization to combine the new littering provisions with existing illegal dumping provisions, in a new chapter. The counterpart state law combines littering and illegal dumping in a similar manner.

**PROCUREMENT**

Not applicable.

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**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (John Tubbs II, and Kenneth Hardy Deputy County Counsel, 387-5455) on June 24, 2019; Finance (Kathleen Gonzalez, Administrative Analyst III, 387-5412) on July 15, 2019; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on July 19, 2019.

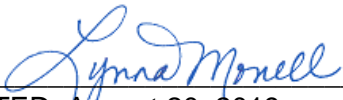
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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Josie Gonzales Seconded: Dawn Rowe  
Ayes: Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales  
Absent: Robert A. Lovingood

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: August 20, 2019



cc: File - Land Use Services Department w/ attachments  
jll 08/22/2019