
MEMORANDUM

WMPSC-C 9-2020

Subject: 2019 Illegal Dumping Summary and 2020 Mitigation Measures

Date: Monday, January 27, 2020

To: Waste Management Planning Steering Committee

From: Katelyn Avella, Contract Supervisor

This memorandum is intended to update Committee members on the Illegal Dumping Working Group's (Working Group) progress in 2019 and also respond to a Councillor request for information on mitigation measures that will be put in place to prepare for every-other-week (EOW) waste collection.

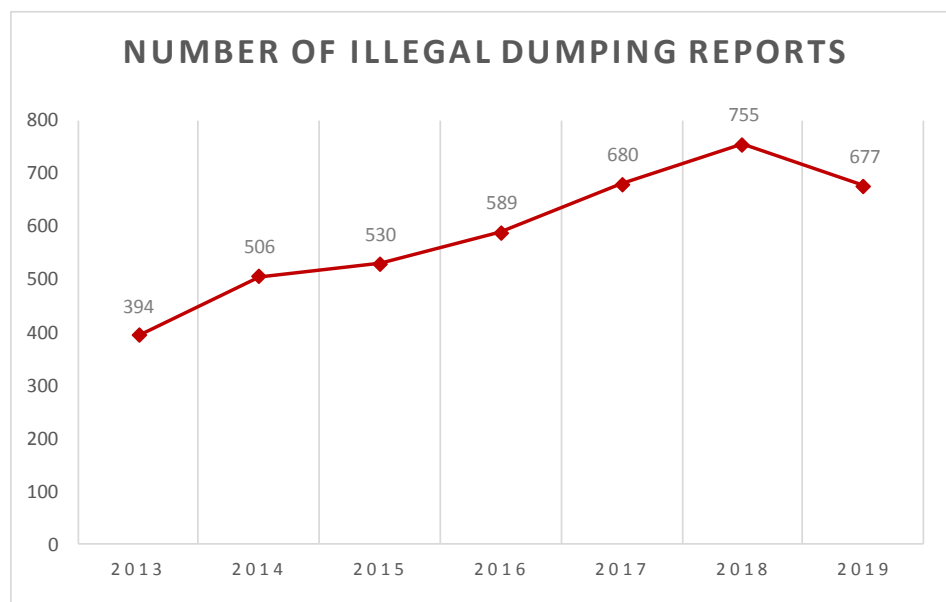
2019 SUMMARY

Throughout 2019, the Working Group's continued efforts to mitigate illegal dumping in Niagara resulted in the following:

- A total of 677 illegal dumping reports were received (see the full comparative of the illegal dumping statistics located in Appendix A):
 - 103 of the 677 illegal dumping reports were received via the Online Reporting Tool.
 - 74 warning letters were issued.
 - Five (5) offence notices were issued as a result of illegal dumping in 2019, where three (3) have resulted in a conviction and the remaining two (2) have requested early resolution set for January 2020.
- In 2019, an additional five (5) illegal dumping signs were installed in Thorold. There are a total of 116 Regional illegal dumping signs throughout the Niagara Region.
- The following list outlines the Niagara Region's continued promotion of the Illegal Dumping Campaign in 2019:
 - Student outreach
 - Social media posts regarding large item collection and garbage limits provided to Brock and Niagara College to share on their social media.
 - Student move-out flyers mailed to Brock students regarding large item collection and garbage limits.
 - Welcome Wagon participation and opportunities for face-to-face interaction with Brock students and provided promotion and education.
 - Door-knocking blitz with Niagara College for face-to-face interaction with Niagara College students and provided promotion and education.
 - Transit ads ran in May & June for eight (8) weeks.
 - Arena board advertisement ran in Niagara Falls (four (4) arenas), Thorold, Fort Erie, Grimsby and Lincoln.

- Question and answer feature on the Crime Stoppers Cogeco TV show.
- The Seniors Review (six (6) issues through the year).
- Banners (Home Shows in March/April, four (4) events).
- Feature in 2019 spring and fall Green Scene.
- 2019 Collection Guide.
- Litter bin stickers.

Since the establishment of the Illegal Dumping Working Group in 2012, illegal dumping reports from the public have continued to increase every year. However, the total number of illegal dumping reports in 2019 have decreased by 12%, from 755 reports in 2018, down to 677 reports in 2019. In 2018, a Litter Bin Blitz was conducted where staff audited various litter bins across the region to look for evidence of illegal dumping. If any illegal dumping was discovered during the Litter Bin Blitz, warning letters were issued. Due to staff resources and other priorities, these audits did not occur in 2019, which impacts the overall number of illegal dumping reports received in 2019. Litter Bin Blitz audits are scheduled for 2020.



The number of certificates of offence issued has increased from two fines issued in 2018, to five fines issued in 2019. The increase in enforcement may be partly attributed to witnesses being willing to testify in court and being knowledgeable to provide the Region with imperative supporting evidence to confirm a suspect's identity and proof of illegal dumping. Further, the illegal dumping advertising remains eye catching to residents, which will continue to create awareness and encourage residents to report illegal dumping throughout Niagara region.

MITIGATION MEASURES

Moving into 2020, it is anticipated that the number of illegal dumping reports may increase due to projections made from historical records, and may increase temporarily as a result of EOW waste collection that will take effect in October 2020.

Niagara Region reached out to municipal comparators (Barrie, Durham, Halton, Markham, Ottawa, Toronto, Vaughan, Peel and Waterloo) who have proven EOW collection as a best practice and requested information on how this transition influenced illegal dumping. Niagara Region did not receive quantitative statistics from municipal comparators; however, the Region received their comments which indicated a short-term increase to the number of illegal dumping events. No long-term issues with illegal dumping were noted. Municipal comparators also commented that material illegally dumped during the transition period were items not collected curbside; for instance, shingles, construction and renovation material and waste generated from non-residential sources were some examples of material illegally dumped.

In response to the municipal comparator comments and statistical projections, Niagara Region will be taking a proactive awareness and reactive enforcement approach to mitigate fluctuating levels of illegal dumping in 2020. Niagara Region will utilize the Working Group, promotion and education and the Litter Bin Blitz as proactive measures to help mitigate illegal dumping. Further, the Region will investigate, enforce, monitor and reward (if possible) all reports of illegal dumping on public property and roadside. All private property illegal dumping events will be dispatched to the Local Area Municipality (LAM) for follow up. Please see below for further details on each of the six mitigation measures Niagara Region will action moving forward.

1. ILLEGAL DUMPING WORKING GROUP

The Working Group has been active since 2012 where members of each LAM and the Region meet bi-annually to address and discuss issues surrounding illegal dumping.

Municipal solid waste management is evolving and in an effort to maintain the Working Group's relevancy and effectiveness, Niagara Region will be revising the Working Group's Terms of Reference. More specifically, Niagara Region and Working Group Members will review the current Terms of Reference and aim to improve the purpose, structure and operating rules of the Working Group to enhance participation, attendance and collaborative action on mitigating illegal dumping. Further, the current membership list will be updated in 2020 to give members the opportunity to elect new staff to join the Working Group and diversify collaborations and conversations surrounding illegal dumping.

Niagara Region will also be working towards aligning all set fines associated with illegal dumping across each LAM. Aligning all set fines will help to create consistency when enforcing issues of illegal dumping on public or private property. Consistent enforcement allows all by-law officers, whether municipal or regional, to take a similar approach when assessing and taking action on these types of issues.

2. PROMOTION & EDUCATION

The following list outlines the Niagara Region's strategy to continue to promote and educate residents on Illegal Dumping in 2020:

- Refresh the Illegal Dumping Campaign artwork to keep messaging relevant and eye catching (brochures, rack cards, banners, sign plates).
- Increase social media posts regarding illegal dumping.
- A subset of the new fleet of collection vehicles (October 2020) will be wrapped with refreshed illegal dumping artwork.
- Mobile App (Spring 2020) will allow the Region to forward residents' information regarding illegal dumping to their personal devices.
- Additional illegal dumping promotion and education items may be incorporated once the new communication strategy is finalized for the new waste collection services (RFP 291 Communication Strategy & Campaign for Waste Management Level Changes). The RFP closed on January 23, 2020.
- Continue installation of illegal dumping signage at 'hot spots', as determined by Niagara Region and LAMs.
- Public litter-bin stickers tailored to each municipality.
- Campaign advertising on transit systems.
- Arena board advertisements throughout the region.
- The Seniors Review (six (6) issues through the year).
- Banners (Home Shows in March/April, four (4) events).
- Feature in 2020 spring and fall Green Scene.
- Feature in 2020 Collection Guide.
- Student outreach through staff participating in the Brock Welcome Wagon and Niagara College Door Knocking Blitz.

3. REPORTING, INVESTIGATING & TRACKING

Various forms of the Region's promotion and education strongly encourage residents to report someone if they witness an act of illegal dumping or discover material disposed in a non-designated area, such as public roads, ditches, public property, rural areas, vacant lots and public litter-bins. Niagara Region offers the following three platforms for residents to report acts of illegal dumping:

1. Report online at niagararegion.ca/waste;

2. Call the Region's Waste Info-Line at 1-800-594-5542; and
3. Call Crime Stoppers of Niagara at 1-800-222-TIPS

Each reporting platform requests that residents provide as many details as possible about the illegal dumping event. The more details reported, the better chance by-law officers will have to narrow down the suspect during the investigation and reduce the chance of the suspect illegally dumping in the future. For instance, customer service staff will ask the reporter to detail the location, time, material dumped, car make/colour, license plate and description of the person or persons doing the illegal dumping. Any evidence supplied by the reporter, such as a photo or video, will also be used by the by-law officer to obtain compliance, issue a certificate of offence or issue a warning letter. During the investigation, all reporters have the option to remain anonymous or agree to testify in court when necessary.

Once a report has been submitted to Niagara Region, all associated details will be documented and forwarded to the appropriate on-road staff who will investigate and follow up with cleanup efforts. On-road staff will first conduct a site visit to the illegal dumping location and determine if the material is on public or private property. Since the Region only has jurisdiction to enforce illegal dumping on public property, all private property issues are forwarded to the LAM. If the illegally dumped material is on public property, then the on-road staff will take field notes and photos, prior to inspecting the material. Next, staff will use extreme caution and use all necessary personal protective equipment to remove all or a sample of the dumped material and conduct a detailed visual examination. If any identifiable material is discovered during the examination, the evidence will be properly stored and retained. By-law staff will then contact the suspected generator and give them the opportunity to clean up the illegally dumped material. If compliance is not achieved, the by-law officer will then explore the option to enforce the non-compliance through a certificate of offence or issue a warning letter. The level of enforcement will depend on the type and quality of evidence obtained during the investigation.

All associated documentation and evidence obtained from investigating each illegal dumping event, is properly tracked in accordance with the storage and retention standard operating procedure. Niagara Region also plots the locations of each illegal dump point and dense clusters of illegal dumping events to reveal hotspots. Hotspot locations are then used by on-road staff to monitor more frequently and help deter illegal dumping from continuing in these areas.

Beginning January 2020, Niagara Region staff will be improving the way in which illegal dumping statistics are being tracked and mapped through a user-friendly mobile app that will allow Niagara Region, and potentially LAM staff, to update records in real time. The illegal dumping statistics extracted from the mobile app will be used to make year-over-year comparisons more efficiently and will provide further insight, such as how EOW collection may impact illegal dumping. Overall, illegal

dumping statistics will continue to be analyzed on an annual basis to ensure efforts are making a positive impact to mitigate illegal dumping.

4. MONITORING & ENFORCEMENT

In accordance with the Niagara Region Waste Management By-Law 2017-56, illegal dumping is a crime and any person or owner found guilty could face a set fine of \$500 for illegally dumping on public property or \$150 for illegally dumping in a public litter-bin. A victim fine surcharge and a court fee will also be applied and charged in addition to the set fine. Niagara Region has jurisdiction to enforce acts of illegal dumping on any road or public property. All reported acts of illegal dumping on private property are forwarded to the LAM for enforcement.

Before a fine is issued in regards to illegal dumping, Niagara Region will first attempt to obtain compliance from the suspect. This means that if the by-law officer has reason to believe the person in question has in fact illegally dumped, the officer in charge will attempt to get the suspect to clean up the material immediately. If the attempt to obtain compliance is unsuccessful, Niagara Region will perform the work to clean up the material and properly dispose all material. Finally, the by-law officer will then determine the most effective method of enforcement for the illegal dumping event, which may be through the issuance of a certificate of offence or a warning letter. The type of enforcement will depend on the quality of evidence collected during the investigation.

In order to improve enforcement operations, Niagara Region Waste Management staff have developed various Standard Operating Procedures (SOPs) to help new and current staff address by-law non-compliances, such as illegal dumping issues. For instance, the Niagara Region has drafted SOPs in for: Illegal Dumping; Illegal Dumping Rewards; Completing a Certificate of Offence & Disclosure Process; and Evidence Storage & Retention. These SOPs outline systematic instructions that allow by-law officers to carry out a complex routine of enforcement operations, achieve efficiency and uniform performance.

On-road waste management staff will continue to improve enforcement procedures and be vigilant of illegal dumping. The more presence staff have in hotspot areas and the more prepared staff are on how to investigate and enforce illegal dumping, the less likely offenders will repeat illegal dumping in the future.

5. REWARDS SYSTEM

Region staff are able to respond more efficiently to reports of illegal dumping when they are reported by an eyewitness. In an effort to promote and encourage residents to report witnessed illegal dumping, Niagara Region offers a reward system for reporting illegal dumping on public property and/or roadside where compliance was

achieved and/or there has been a successful conviction. Not only do eyewitnesses lead to a better conviction rate, but they also help Region staff narrow down the suspect in an investigation. Suspects can then be issued warning letters, at a minimum, and certificates of offence where possible, to help prevent suspects from becoming reoffenders. Certificates of offence are issued once staff can positively identify the generator of the illegally dumped material through investigations.

Any person whose report of illegal dumping results in an act of compliance; for instance, the person who was reported illegally dumping, returned to the site and removed the dumped material, is entitled to a \$50 reward. Further, any person whose report of illegal dumping leads to a conviction is entitled to a \$200 reward.

Offering rewards encourages residents to report non-compliant events and as a result allows by-law officers to investigate and enforce these issues as soon as possible and get them cleaned up quickly.

6. LITTER BIN BLITZ

The purpose of the Litter Bin Blitz is threefold. First, litter-bin audits help Niagara Region proactively communicate that illegal dumping into public litter bins is not permitted. Second, it helps to increase awareness on which items should be diverted from our landfills. Finally, it decreases costs associated with investigating and removing illegally dumped materials.

Regional staff previously conducted blitz's in 2012, 2017 and 2018. The 2012 blitz was executed based on several reports from the City of St Catharines that litter bins were overflowing. The initial thought was that the collection contractor was not servicing the bins as scheduled, but upon investigation, the majority of litter bins that were cited as overflowing were in that state due to illegal dumping. During the 2012 blitz, 680 litter bins were examined, 134 household garbage bags were collected for investigation, and 32 warning letters were issued. During the 2017 blitz, 654 litter bins were examined, 118 household garbage bags were collected for investigation, and 33 warning letters were issued. During the 2018 blitz, 704 litter bins were inspected, 176 household garbage bags were collected for investigation and 43 warning letters were issued. All warning letters issued to suspects provided education on dumping into public litter bins is prohibited and educated residents how to properly dispose of waste.

A blitz is scheduled for the summer of 2020, where public space litter bins will be audited over a one (1) week period throughout St. Catharines, Grimsby, Thorold, Fort Erie and Niagara Falls. The statistics from this blitz, coupled with data from previous blitz efforts, will be plotted on a map and be used to help identify illegal dumping hot spots. These hot spots can be targeted as potential areas for illegal dumping signs and enhanced monitoring efforts. Further, issuing warning letters is a tactic that

continues to reinforce proper waste disposal practices and outlines the consequences associated with the crime of illegal dumping.

CONCLUSION

Illegal dumping continues to be an environmental, aesthetic and financial concern throughout the Niagara Region. The act of illegal dumping is not unique to Niagara, but rather all Ontario municipalities have similar challenges. Based on comments received from municipal comparators who have implemented EOW waste collection, the Region suspects that new collection methods will influence illegal dumping, but only short-term. In response to this prediction, Niagara Region's proactive awareness and reactive enforcement measures discussed in this memo will help combat increased events of illegal dumping during the EOW waste collection transition period. From a sustainability perspective, EOW week waste collection is a best practice and it is the next step to reducing Niagara Region's environmental footprint. Once residents become accustomed to adjusting their set out procedures, events of illegal dumping will level off to 'normalized' levels based on historical records. Niagara Region's Waste Management staff will continue mitigate illegal dumping through raising awareness, detailed investigation and prompt enforcement.

Respectfully submitted and signed by

Katelyn Avella
Contract Supervisor
Waste Management Services

APPENDICES

Appendix A – Illegal Dumping Statistics