

GENERAL ORDER

August 2017

Immediately

V.3:04

Distribution: All Employees

Subject: **ENVIRONMENTAL INVESTIGATIONS**

Index as:	Commercial Dumping	Garbage	Littering
	Commercial Rubbish	Garden Trash	Non-combustibles
	Dump	Industrial Waste	Residential Dumping
	Dumping, Garbage	Litter Rubbish	Rubbish Dumping
	Environmental Investigations		

Accreditation Standards:

Cross Reference: City Code, Article V, Division I- Solid Waste Collection, Disposal, Etc.
Sections 27-464 and 27-465, Definitions and Unlawful Disposal of Refuse
§403.413, F.S.S. ("Florida Litter Law")

Replaces: I.O. V.3:4, Environmental Investigations (May 26, 2006)

This Order establishes procedures for conducting environmental investigations. It consists of the following sections:

- I. Policy
- II. Definitions
- III. Environmental Investigations and Reporting
- IV. Notifications

I. POLICY

A. The presence of garbage, trash and other detritus, not in the proper container for disposal, leads to unhealthy and unsightly conditions in the community. The Department will enforce applicable laws and ordinances in the interest of improving the quality of life for our residents and visitors.

B. Unless authorized by law or permit, it is unlawful for any person to dump litter in any manner or amount in or on any public highway, road, street, alley, or thoroughfare, including any portion of the right-of-way thereof, or any other public lands, except in containers or areas lawfully provided there for. It is unlawful when litter:

1. Is thrown from a motor vehicle; in which case the operator or owner of the motor vehicle, or both, shall be in violation of §403.413(4)(a), F.S.S.).
2. Is discarded in or on a freshwater lake, river canal, stream or tidal or coastal water. If the litter is thrown or discarded from a boat, the operator or the owner of the boat, or both, shall be in violation of §403.413(4)(b), F.S.S.
3. Is discarded or thrown on any private property, unless prior consent of the owner has been given and unless such litter will not cause a public nuisance or be in violation of any other State or local law, rule or regulation §403.413(4)(c), F.S.S.

C. Unlawful Disposal of Refuse (City Ordinance Section 27-465)

1. It shall be unlawful to deposit garbage, industrial waste, garden trash, tree trimmings, non-combustibles or rubbish upon the premises of another or upon any street, alley, park or other public property, or in any canal, water, waterway, rock pit, pool or lake within the City, or in any garbage or rubbish container upon which any other person shall have paid the collection fee as provided by this article; however, tenants of multiple-dwellings, commercial businesses or institutional establishments may deposit garbage or rubbish in containers upon which the owner or manager of the multiple-dwellings, commercial businesses or institutional establishments shall have paid the collection fee as provided in this article, and authorized the tenants to use such garbage or rubbish containers.

2. Notwithstanding the foregoing, garbage or rubbish from residences serviced by alley collections sharing containers with other residences may be deposited in other residential containers located in the same City block, provided that the container is a multi-use container and the collection fee shall have been paid on such containers by the residence generating such garbage or rubbish.

II. DEFINITIONS

A. Commercial Rubbish – Waste accumulation of dust, paper, paper cartons, cardboard, cardboard cartons, excelsior, rags, or other accumulations other than garbage or household rubbish, which are usually attendant to the operation of stores, offices and similar businesses.

B. Dump – To dump, throw, discard, place, deposit or dispose of.

C. Garbage – Waste accumulation and animal and vegetable matter which attends the preparation, use, cooking, processing, handling or storage of meats, fish, fowl, fruits, vegetables or other matter which is subject to decomposition, decay, putrefaction and the generation of offensive and noxious gases or odors, or which during or after decay may serve as breeding or feeding material for flies, insects or animals.

D. Garden Trash – Waste accumulation of lawn, grass, shrubbery or dry leaf rakings, free of dirt, rocks, large branches and bulky, noncombustible material.

E. Industrial Waste – Waste accumulation of metal, metal products, minerals, chemicals, rocks, cement, asphalt, tar, oil, grease, glass, crockery, rubber, tires, bottles, cans, lumber, ashes, sawdust, wastes from animal packing or slaughterhouses, or other materials usually created by commercial enterprise, but not garbage, household rubbish or commercial rubbish.

F. Litter – Any garbage; rubbish; trash; refuse; can; bottle; box; container; paper; tobacco product; tire; appliance; mechanical equipment or part; building or construction material; tool; machinery; wood; motor vehicle or motor vehicle part; vessel; aircraft; farm machinery or equipment; sludge from a waste treatment facility, water supply treatment plant, or air pollution control facility; or substance in any form resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

G. Non-combustibles – Any refuse materials that are unburnable at ordinary incinerator temperatures; (i.e., 800 degrees Fahrenheit to 1,800 degrees Fahrenheit), and certain other refuse which for reasons of engineering or health considerations are not acceptable for incineration. Examples are tires, rocks, sand, bricks, roofing or other building materials, metals, minerals, large quantities of glass, crockery or metal, furniture, auto bodies or parts, household appliances, and other similar materials not usual to housekeeping or to the operation of stores and offices.

H. Rubbish – Waste accumulation of paper scraps, dust, rags, bottles, cans or other matter, other than garbage, which is usually associated with housekeeping.

III. ENVIRONMENTAL INVESTIGATIONS AND REPORTING

A. Environmental investigations involving illegal dumping should be handled in the same manner as any other criminal offense.

B. For tracking purposes, the matters shall be separated into the following categories and police reports should be appropriately titled as:

1. Commercial Dumping – large amounts of materials, or materials that are likely the result of a commercial enterprise such as construction materials; or
2. Residential Dumping – small amounts of materials that likely are the result of individual, household, or yard waste.

C. Officers assigned to the incident shall complete the original police report, interview victims, witnesses, suspects, etc., and, where possible, make the appropriate arrests.

1. The original report shall include information describing the:
 - a. Type of material discarded by the offender.
 - b. Approximate weight or dimensions of the discarded material.
2. A copy of the police report shall be sent to the Economic Crimes Unit (Environmental Detective) for review and follow-up.
3. Forensic Technicians, if summoned, will:
 - a. Gather potential evidence at the scene.
 - b. Take photographs as may be necessary.
4. Follow-up investigation will be handled by the Environmental Detective or appropriate Investigative Unit.

IV. NOTIFICATIONS

A. All requests for immediate response of the Environmental Detective shall be made through the Supervisor of the Economic Crimes Unit or the on-call Crimes Against Persons/Property Supervisor.

B. The Environmental Detective will respond to the scene or provide guidance regarding an environmental hazard when requested by:

1. The Uniform Services Bureau.
2. The St. Petersburg Sanitation Department Manager.
3. The Florida Department of Environmental Protection.
4. Any other request deemed appropriate by the Supervisor of the Economic Crimes Unit or the on-call Crimes Against Persons/Property Supervisor.

Anthony Holloway
Chief of Police