

Bill 64 (2019)
Testimony

MISC. COM. 9

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TESTIMONY ON BILL 64

I urge all members of the Committee to approve Bill 64 which amends Section 9-1.2, Revised Ordinances of Honolulu 1990 to allow us to combat the surge of illegal dumping of large bulky items on and near the streets, roads, parks and other areas of our beautiful City. This is an urgently needed law and it will place an important tool in the hands of citizens, law enforcement and the courts to combat the truly disgraceful misbehavior of a small minority at a little or no cost.

Bill 64 represents very creative thinking by the Council, and this too is important. Many times, a well-intentioned new law fails because of the cost involved in enforcement. With respect to illegal dumping, we always have wanted to aim the law at the person who is dumping. While that seem to make sense, the cost of enforcing a criminal statute against a person requires a level of evidence which is difficult and expensive to acquire coupled with a and a process that is very expensive to administrate.

I live on Tantalus and serve as the President of the Tantalus Community Association and on Tantalus we suffer from some of the most ridiculous acts of dumping imaginable, from dozens of tires, to multiple couches, refrigerators and other appliances, construction waste, and host of things too disgusting to include here. It happens on Tantalus because it's isolated, not heavily traveled, and has some convenient places to back you truck up to and dump away. The only common denominator of the dumping, be it in Tantalus or elsewhere is a vehicle because you can't carry 30 tires or a refrigerator on your back.

What Council Member Fukunaga realized is that we have been fighting littering from vehicles with citations for years so why can't we fight dumping from vehicles the same way? The answer is that of course we can and moreover, we should. We need to stop requiring that a police officer witness the dumping so he can arrest the dumper and we need to treat dumping like a very serious parking infraction, so that when the registered owner claims he lent his truck to Joe, but I forgot his last name it's no defense; just like if you lend your car to your child or friend and he or she gets a ticket for illegal parking, too bad you have you pay the ticket or you won't be able to register your car.

This Bill has no down side and throughout the county, as security cameras become present in more and more prevalent, we will be able to find and cite the owners of more and more vehicles that are involved and eventually put an end to the disgraceful behavior of some of our citizens who believe their convenience entitles them to dump their old tires, appliances and construction waste on the public's property with impunity.

In closing I want to note that most illegal dumping involves commercial activity. When 20 tires or a half ton of construction waste get dumped, it's because the

commercial entity involved doesn't want to pay the cost to legally dispose of it. So as you consider this measure I ask you to give thought to the fact that if someone dumped 20 tires on the sidewalk in front of your house and all you could do was get the license number of the vehicle involved, there is absolutely nothing you could do about it, unless of course, you pass Bill 64, so for you and everyone in the City and County of Honolulu, please do so.

Respectfully yours,

Mark Bernstein

Mark Bernstein
President
Tantalus Community Association

January 17, 2020

To: Committee on Public Infrastructure, Technology & Sustainability
Chairperson Councilwoman Carol Fukunaga

Fr: Ray Sasaki, President Makiki Heights Community Association (MHCA)
2350 Makiki Hgts. Dr., Honolulu, HI 96822 rsasakiir@aol.com

RE: Written Testimony Bill #64: Unlawful disposal of Refuse or Bulky Waste
Agenda: "For Action" Item #5

Dear Committee Members:

As president of MHCA and on behalf of our residents, may I urge the City to take pro-active measures to prevent the weekly illegal dumping of trash & bulky items on the mauka side of Makiki Heights Drive from the Board of Water Supply station going up to Hoalu Place.

There are approximately six (6) dirt areas going up Makiki Heights Drive where offenders generally park and dump refuse (including syringes & needles) & bulky items that are both health hazards and a danger to children walking to/from Halau Ku Mana, hikers, joggers, and citizens on daily walks & exercise. Within a couple of days, the refuse & food items attract rats and feral animals and cars are sometimes abandoned in these areas. Often, displaced persons are seen sleeping in cars parked in these areas for several days.

Some preventative suggestions by residents MHCA hopes the City will consider are erecting guard rails like those along the 'S' curve in front of Hoalu Place or concrete berms like those along the parking area of Halau Ku Mana. MHCA feels that if cars are prevented from parking in these dirt areas, illegal disposal of refuse & bulky items and illegal activities will be greatly curtailed and hopefully eliminated. Although these suggestions may be costly, I suspect they're far more cost efficient than City & State crews coming monthly and even weekly at times to collect/dispose the refuse & bulky items.

Thank you for your considerations and prompt action re the illegal disposal of refuse & bulky items along Makiki Heights Drive.

Sincerely,
Ray Sasaki / President MHCA



January 21, 2020

To: Committee on Public Infrastructure, Technology & Sustainability
Chairperson Councilwoman Carol Fukunaga

Re: Written Testimony Bill #64: Unlawful disposal of Refuse or Bulky Waste

Dear Committee Members:

I am in support of Bill #64. As a resident of Makiki Hts. since 1984, I have witnessed the changes in the neighborhood. On all occasions, when responsibility has been accepted, the area is no longer an attraction for illegal dumping, derelict cars, homeless and unwanted activities.

The Nature Center and Halau Ku Mana have cleaned up the area at the beginning of Makiki Hts. Drive up to the Nature Center. The mauka side of the hairpin curve beyond the road to the Nature Center was a constant dumping place for bulky items but since the property sold last year, the dumping has stopped. The area next to this spot was cleared for buses to park for Halau Ku Mana. When they no longer needed the area, campers, cars and garbage occupied the space. I reported on several occasions to police of camping. There was furniture set up like a living room in the forest which led to an active encampment of tents, garbage, needles etc.

After Halau Ku Mana chained the area and set orange cones up, the grass grew back and no more dumping or car parking.

Halau Ku Mana, Nature Center and the new home owner took responsibility for the area. The neighbors can no longer take responsibility for the conservation land, we just end up cleaning it up! It is up to the City and State to step up and take responsibility.

We know that if we eliminate access, the problem will go away. We also know that there is not a problem further up on Makiki Hts. Drive due to street lights , homes, and activity as well as no place to park.

I propose the mauka side of Makiki Hts. Drive from hairpin curve to 2260 Makiki Hts Drive have curbs specified to not drive over in addition to moving the "no dumping" signs closer to the road.

If this does not stop the problem, then install bollards in the areas that are still an attraction. Planting could be done at this time to speed up the growing process. I am sure that without the ability to pull off the road, the illegal dumping, parking and the activity it attracts will be minimized and most likely stopped.

Sincerely,

Paula Sussex
2270 Makiki Hts. Drive

From: Alan Ewell [mailto:ewell@hawaii.rr.com]

Sent: Tuesday, January 21, 2020 11:40 AM

To:

Subject: Support for Bill 64

I am writing regarding Bill 64, which will be heard tomorrow before the Public Infrastructure, Technology and Sustainability Committee of the City Council.

I have lived in the Tantalus community for almost three decades, and during our quarterly Tantalus Community Association roadside workdays in those many years I have collected dozens of dead refrigerators, tons of illegally dumped building materials, hundreds of gallons of paint, and enough worn out tires to equip a fleet of vehicles.

So much waste is collected at every workday that the City supplies a large loader and several dump trucks to haul it away. The sad reality, however, is that despite the huge volume of trash collected at our quarterly TCA workdays, without better enforcement, we can only make a small dent in the amount of illegal dumping in our neighborhood.

For the past several years, the Tantalus Community Association has also been focused on implementing a security camera system in our neighborhood. This year, our system should be capable of recording the license plate of every vehicle that enters our watershed. Bill 64 would give us the opportunity to use our system to support enforcement of illegal dumping regulations, which will not only benefit, not only Tantalus residents, but also the hundreds of bicyclists, hikers and sightseers that use our State and Nationally-recognized Historic Road on a daily basis.

Thanks very much for the opportunity to support this valuable legislation. I look forward to its passage and to a cleaner and more attractive Tantalus.

Aloha,
Alan Ewell

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