



**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

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TO: Mayor & City Council

FROM: Councilwoman Jennifer V. Ramos, District 3

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Executive Assistant to the City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Catherine J. Hernandez, Special Projects Manager; Ramiro Gonzales, Senior Management Analyst

SUBJECT: *Rebuttable Presumption Clause* for Illegal Dumping ordinance

DATE: July 8, 2009

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

I respectfully request that City Staff implement a *Rebuttable Presumption Clause* to the current illegal dumping ordinance. The intent of the proposed clause is to establish a tool to successfully arraign violators of the existing illegal dumping ordinance when violating parties can be successfully identified.

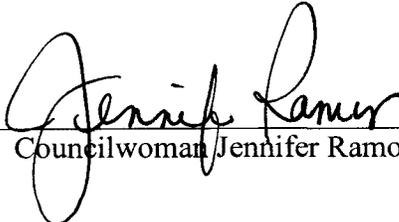
Brief Background

Currently, the City of San Antonio has been taking various measures to combat illegal dumping city wide. Under the existing ordinance, violators can only be successfully prosecuted and fined if apprehended during the course of the violations.

A rebuttable presumption is an assumption made by a court, one that is taken to be true unless someone comes forward to contest it and prove otherwise. This would allow identifiable markings, i.e. license plates, company logos, etc., captured on photograph or video to be used as evidence to establish guilt by rebuttable presumption.

This proposed amendment in conjunction with new crime deterrent surveillance measures, city department initiatives and continued public policing will increase the City of San Antonio's ability to combat illegal dumping and hold violators accountable.

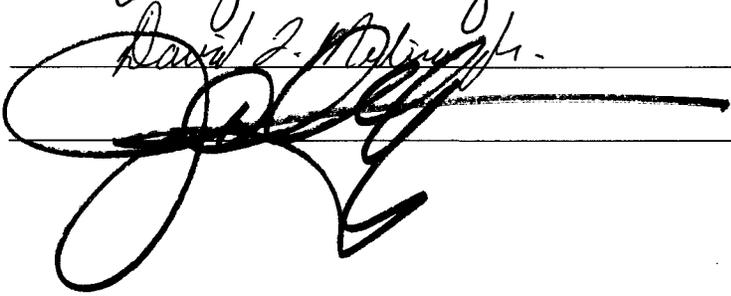
Submitted for Council consideration
by:


Councilwoman Jennifer Ramos, District 3

Supporting Councilmembers' Signatures (4 only)

District No.

Rebuttable Presumption Clause for Illegal Dumping ordinance

1.	Justin Rodriguez CAM	7
2.	Lucy Z. Taylor	2
3.	David J. Delaney	5
4.		10

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