



ORDINANCE AMENDING CHAPTER 8: DONATION CONTAINER STANDARDS

OR-24-012

September 17, 2024

Donation Container Standards

- ❑ In April 2021, the City Council adopted Ordinance No. 21-022 establishing regulations regarding donation containers.
- ❑ The intent of the proposed ordinance is to prevent the unsightly accumulation of debris surrounding donation container boxes.
- ❑ If approved, the proposed ordinance will strengthen the existing donation container standards and give the City more ability to take enforcement action.

Donation Container Standards

3



Donation Container Standards

4



Donation Container Standards

5



Donation Container Standards

Where Permitted:

- ❑ Currently, donation containers are permitted in all nonresidential zoning districts and on church or school properties.
- ❑ Under the proposed ordinance, donation containers would be prohibited in the “UD”, “CD”, “NBD” and “HOD” zoning districts.

Donation Container Standards

7

Responsibility for permit:

- ❑ Under the current ordinance, the operator of the donation container is responsible for obtaining a permit and ensuring that the area around the container is maintained. The majority of existing donation containers are currently unpermitted.
- ❑ Under the proposed ordinance, the responsibility for obtaining a permit and maintaining the donation container and the area around would be shifted to the property owner, instead of the donation container operator.

Donation Container Standards

Permit expiration:

- ❑ Under the current ordinance, a permit for a donation container does not expire.
- ❑ Under the proposed ordinance, a permit for a donation container would be valid for one (1) year and would need to be renewed annually.

Donation Container Standards

Unpermitted donation containers:

- ❑ Currently, unpermitted donation containers are considered a violation of Sec. 8-2, which is punishable by a \$500/day fine and must be addressed through the municipal court.
- ❑ Under the proposed ordinance, the City must provide property owners thirty (30) days' notice of the requirement to permit a donation container. If, after thirty (30) days, a property owner has not obtained a permit, the City could remove the donation container and bill the property owner for the abatement.

Donation Container Standards

Items placed outside donation containers:

- ❑ Under the current ordinance, the City is required to give the 'permit holder' seventy-two (72) hours' written notice to remove items placed outside the donation container. If the debris is not cleared, the City may remove it and bill the property owner for the cost to abate the violation.
- ❑ However, the majority of the donation containers are unpermitted, so in most cases, there is no contact information for a permit holder on file.

Donation Container Standards

Items placed outside donation containers:

- ❑ For high-priority violations, or in cases where there is a significant amount of debris outside the container, the recent practice has been to address items placed outside the container as illegal dumping, which the City has paid for using illegal dumping funds.

Donation Container Standards

Items placed outside donation containers:

- ❑ Under the proposed ordinance, placement of large, bulky items outside of the donation container is expressly prohibited.
- ❑ As proposed, the property owner would be given twenty-four (24) hours' written notice to remove items placed outside the containers. If the property owner fails to do so, the City would have the ability to remove the items and bill the property owner for the cost of the abatement.

Staff Recommendation

13

- Staff recommends approval of the ordinance as presented.