

Chapter 16.184

Donation/Collection Bins

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16.184.010 Purpose

The purpose of this Chapter shall be to provide rules, regulations and standards for the placement and use of donation/collection bins in the City of Ripon in order to, among others, ensure that donation/collection bins do not pose a hazard to pedestrian or vehicular traffic, ensure that material is not allowed to accumulate outside of donation/collection bins, avoid conditions that may attract vermin, and to overall promote the public health, safety, convenience and welfare of the City.

16.184.020 Definitions

- A. Director: Director of Planning for the City of Ripon or his/her designee.
- B. Donation/Collection Bin: A bin, box, receptacle or container made of metal, steel or other material which is designed or intended for the collection and temporary storage of donated items such as clothing, shoes, textiles, books, household goods and other similar items. Donation/Collection Bins may be either attended or unattended. The definition of a Donation/Collection Bin does not include recycle bins used for the collection of recyclable material such as aluminum, plastic, glass, metal and other such materials.

- C. Operator: The person, entity, association or organization who places, maintains, operates and is responsible for a Donation/Collection Bin pursuant to a lawfully issued Donation/Collection Bin Permit.
- D. Property Owner: the person, entity, association or organization who owns the real property where the Donation/Collection Bin is proposed to be located.

16.184.030 Donation/Collection Bin Permit Requirements

A. No person, entity or organization shall place or maintain any Donation/Collection Bin on any premises or property within the City limits of the City of Ripon without first obtaining a Donation/Collection Bin Permit. A separate Donation/Collection Bin Permit shall be required for each Donation/Collection Bin, regardless of whether an Operator operates more than one Donation/Collection Bin.

B. A Donation/Collection Bin Permit may be obtained by submitting a complete Permit application with the City of Ripon and paying the appropriate processing fee set by Resolution of the City Council based on the following criteria:

1. The City Council, by Resolution, shall set the processing fees applicable to non-profit organizations listed on the City of Ripon's approved non-profit list and the processing fee for all other organizations. The applicable processing fee shall be paid regardless of the date on which the Donation/Collection Bin Permit Application is submitted.
2. Each Donation/Collection Bin Permit Application shall include, in addition to all information required for a minor site plan application, all of the following:
 - a. The name, address and telephone number of the person, entity, association or organization applying for the Donation/Collection Bin Permit.
 - b. The name, address and telephone number of the Operator of the Donation/Collection Bin.

- c. The location and address of where the Donation/Collection Bin is proposed to be placed. A separate Donation/Collection Bin Permit shall be required for each location.
- d. The name, telephone number and written consent letter from the Property Owner or Property Owner's authorized agent of the location at which the Donation/Collection Bin is proposed to be located. For purposes of determining property ownership the current county assessment rolls shall be utilized.
- e. A site plan showing the site and location of where the Donation/Collection Bin is proposed to be located.
- f. A photo, drawing or other image of the Donation/Collection Bin showing dimensions for size and a photo, drawing or other image showing how the Donation/Collection Bin will comply with the required markings described in section 16.184.050 (E) of this Chapter.
- g. A description of the manner and schedule for maintenance and emptying of the Donation/Collection Bin.
- h. A certificate of liability insurance in the minimum amount of One Million Dollars (\$1,000,000) covering the Donation/Collection Bin.

C. Applications for Donation/Collection Bin Permits will be reviewed and approved or denied by the Director within thirty (30) days of the date on which the Application is submitted.

D. Donation/Collection Bin Permits shall date from the first day of January, regardless of the date on which the Permit is issued. All Permits shall be valid for a period of two (2) calendar years, unless revoked by the Director as a result of any violation of this Chapter. Donation/Collection Bin Permits may be renewed by submitting a Renewal Application and paying a processing fee of Fifty Dollars (\$50) per bin.

E. A Donation/Collection Bin Permit sticker shall be placed and maintained on the front of the Donation/Collection Bin and readily visible. Replacement Donation/Collection Bin Stickers may be purchased from the City of Ripon for a charge of Ten Dollars (\$10).

F. Donation/Collection Bins shall be removed within four (4) calendar days of expiration of the Donation/Collection Bin Permit.

G. Donation/Collection Bin reporting requirement. Any person, entity or organization operating a donation/collection bin within the City of Ripon shall report on a yearly basis, no later than February 1st, the estimated amount of donations in pounds received the previous calendar year to the Public Works Director.

16.184.040 Permitted Zones

Applications for Donation/Collection Bin Permits that meet the requirements of this Chapter, may be accepted for all districts except for Residential Districts, unless the Donation/Collection Bin will be placed on property owned and operated by a California 501(c)(3) non-profit organization.

16.184.050 Donation/Collection Bin Design Standards

Donation/Collection Bins shall meet all of the following design requirements:

- A. Size: Donation/Collection Bins shall not cover a ground surface area in excess of five (5) feet by five (5) feet, nor be more than six (6) feet in height.
- B. Material: Donation/Collection Bins shall be made of material that is durable and waterproof. Donation/Collection Bins shall not be electrically or hydraulically powered.
- C. Bin Design: Donation/Collection Bins shall be of the type that are enclosed by use of a receiving door and a tamper resistant locking mechanism so that the contents may not be accessed by anyone other than the Operator.
- D. Emergency Access: Donation/Collection Bins shall be designed/keyed to allow for emergency access by the Police Department and/or Fire Department.

E. Required Identification Markings: The front of each Donation/Collection Bin shall have a conspicuously placed display with dimensions of at least two (2) feet high by two (2) feet wide, with font on the display that is a minimum of two (2) inches in height showing all of the following:

1. The name, address, telephone number and internet address (if available) of the Operator.
2. A statement that either reads, "This collection box is owned and operated by a for-profit organization" or "this collection box is owned and operated by a nonprofit organization." For purposes of this Chapter, a commercial fundraiser shall be classified as a for-profit organization. If the Donation/Collection Bin is owned by a nonprofit organization, the front of the Donation/Collection Bin shall also conspicuously display a statement describing the charitable cause that will benefit from the donations. If the Donation/Collection Bin is owned by a for-profit entity, the front of the Donation/Collection Bin shall also conspicuously display a statement that reads "this donation is not tax deductible." If the Donation/Collection Bin is owned and operated by a commercial fundraiser, the commercial fundraiser may post notice of donations to a charitable cause only on the sides of the Bin. This notice shall always be smaller in size than the for-profit entity's name and address and shall constitute only twenty-five percent (25%) of the notice space of the box.

16.184.060 Donation/Collection Bin Site Placement Requirements

Donation/Collection Bins shall meet the following site placement requirements:

- A. Donation/Collection Bins shall only be placed on property with the consent of the Property Owner or the Property Owner's authorized agent.
- B. All Donation/Collection Bin(s) shall be appropriately located so as not to interfere

with sight triangles, on-site circulation, vehicular, bicycle or other access, ADA or pedestrian pathways of a minimum of five (5) feet in width, emergency access, fire lanes or access, drive aisles, required setbacks, landscaping requirements, parking, or any other requirements that have been imposed as part of the site plan approval for the premises or property on which the Donation/Collection Bin is located, and shall be located in a manner that will not constitute a safety hazard.

- C. Donation/Collection Bin(s) shall be placed on a concrete surface, or an approved equivalent. All Donation/Collection Bins shall be appropriately anchored down to prevent theft of the Bin itself.
- D. No Donation/Collection Bin(s) shall be placed in any on-site parking stall.
- E. Any Donation/Collection Bin that is placed within a residential zone on property owned and operated by a California 501(c)(3) nonprofit organization shall be placed so that the Bin is predominantly shielded from any public street or from any residential unit.
- F. No Donation/Collection Bin(s) shall be placed within one thousand (1,000) feet of any other Donation/Collection Bin, unless otherwise authorized by the Director.
- G. The Director shall not approve of an application for a Donation/Collection Bin Permit if it determines that the placement of the bin could constitute a safety hazard. Such hazards include, but are not limited to, the placement of a donation bin within one thousand (1,000) feet of any place that stores large amounts of, or sells, fuel or other flammable liquids or gases.

16.184.070 Donation/Collection Bin Maintenance

All Donation/Collection Bins shall be maintained in good and clean condition and appearance as determined in the sole discretion of the Director. The following maintenance requirements shall be satisfied at all times:

- A. Donation/Collection Bins shall be free of structural damage, holes, rust, peeling paint, graffiti, vandalism or other deleterious effects.

- B. Donation/Collection Bins shall not overflow at any time. All contents of the Donation/Collection Bins shall be fully contained within the Bins. Placement of any material outside of the Donation/Collection Bin is expressly prohibited, is deemed a public nuisance and shall be subject to removal by the City of Ripon at the Operator and/or Owner's expense.
 - C. Donation/Collection Bins shall be free of litter, junk, garbage, trash, debris, refuse material and any illegal material or substance.
 - D. Donation/Collection Bins shall be regularly emptied to avoid overflow or accumulation of materials outside of the Bins. All contents of the Donation/Collection Bins shall be used and disposed of in accordance with all applicable Federal, State and Local laws and regulations.
- C. If a Donation/Collection Bin Permit is revoked, the Operator and/or Property Owner shall ensure that the Donation/Collection Bin(s) is removed within four (4) calendar days of the effective date of the revocation. If the Operator and/or Property Owner fails to remove the Donation/Collection Bin as required by this Chapter, the City may remove or have the Donation/Collection Bin removed, at the expense of the Operator and/or Property Owner, and sell the Donation/Collection Bin at public auction or otherwise dispose of any clothing or donations collected in the Donation/Collection Bin. Any proceeds from any such sale shall be paid to the City of Ripon.
 - D. Violation of any provision of this Chapter shall be deemed a public nuisance subject to abatement of pursuant to the Ripon Municipal Code.

16.184.080 Enforcement

- A. The Operator and Owner shall respond within twenty-four (24) hours to any notice by the City of Ripon that a violation of any provision of this Chapter exists and shall remedy any such violation within forty-eight (48) hours of receipt of said notice.
- B. Failure to respond to and/or correct any violation of this Chapter shall result in the following fines and penalties:
 1. First violation: The Operator and Property Owner shall be jointly and severably liable for a fine in the amount of Two Hundred Fifty Dollars (\$250).
 2. Second violation within twelve (12) months of the first violation: The Operator and Property Owner shall be jointly and severably liable for a fine in the amount of Five Hundred Dollars (\$500).
 3. Third and all subsequent violations within twelve (12) months of the first violation: The Operator and Property Owner shall be jointly and severably liable for a fine in the amount of One Thousand Dollars (\$1,000) and the Donation/Collection Bin Permit may be revoked.