

DONATION DROP BOXES ORDINANCE

WHEREAS, the Douglas County Board of Commissioners is authorized to adopt ordinances and regulations for the governing and policing of the unincorporated area of the County for the purpose of protecting and preserving the health, safety, and welfare of the citizens of the County; and

WHEREAS, the Board has determined that certain rules and regulations as created by the Douglas County Board of Health, should be adopted to establish reasonable standards for Douglas County; and

WHEREAS, if followed properly, these standards should ensure the health, safety, and welfare of the citizens of Douglas County; and

NOW, THEREFORE, the Code of Douglas County, Georgia, is hereby amended by adding the following sections to Chapter 12: Occupational Licenses, Taxes and Regulations, to read as follows:

Sec. 12 - Chapter 12 - OCCUPATIONAL LICENSES, TAXES AND REGULATIONS

ARTICLE XVI. – Donation Drop boxes

The purpose of this chapter is to regulate the placement of unattended donation drop boxes within unincorporated areas of the county. The procedures and requirements of this chapter are intended to: promote the community’s health, safety, and welfare by regulating unattended donation boxes for clothing or other salvageable personal property; ensure that unattended donation boxes do not pose a hazard to pedestrian and vehicular traffic; ensure that material is not allowed to accumulate outside of the unattended donation boxes where it can be scattered by adverse weather conditions, animal contacts and human activities; and establish criteria that avoid attracting vermin, unsightliness, and public health hazards. Donation drop boxes shall be subject to the following:

(1) Registration required.

a. All existing donation drop boxes erected on land within unincorporated areas of the county shall, within 180 days of the effective date of this ordinance, be registered with the Development Services Department. New donation drop boxes erected in unincorporated Douglas County or donation drop boxes existing prior to August 2, 2016, which are relocated on any lot within unincorporated Douglas County, shall register with the Development Services Department. Registration of the donation drop boxes shall be accompanied by:

- i. Written and notarized approval from the property owner consenting to the placement of the donation drop box(es) on their property as well as acknowledgement that the property owner has received a copy of these regulations and is aware of the requirements and the penalties and/or fines associated with non-compliance. This approval must include the name,**

physical address and phone number of the property owner as well as the physical address and Parcel ID Number of the site where the donation drop box(es) will be located;

ii. A site plan or drawing depicting the size (height, width, and length) and location of any and all donation drop boxes located on the property; and

iii. Information identifying the organization(s) responsible for maintenance and monetary proceeds of the donation drop box(es), including a physical address, contact name, phone number, and website (if applicable) for the organization(s).

b. Donation drop boxes not registered with the Development Services Department within the prescribed timeframe shall be removed at the expense of the property owner, and may be subject to enforcement and fines pursuant to this Article. For the first year of this program, staff will hold in abeyance any removal of donation drop boxes until August 2, 2017 to provide additional time to educate donation drop box operators and property owners of the requirements of this code.

c. The registration of the donation drop box shall be valid for a period of five (5) years after which the owner or operator of the donation drop box shall be required to reregister with the county. The registration fee per donation drop box is \$25.

d. Owners of donation drop boxes shall be required to obtain a Douglas County Business License or Occupational Tax Certificate annually as required under this Chapter. Allowable exemptions of fee payment is enumerated in Section 12-13, however no organization is exempt from the requirement to obtain the Business License or Occupational Tax Certificate.

(2) Design, location safety and maintenance requirements.

a. Donation drop boxes shall not be allowed in any residential zoning district, except on properties of places of worship which will be allowed as a special exemption in this Article.

b. Donation drop boxes are permitted only on properties where there is an active primary use.

c. Donation drop boxes shall not be permitted on vacant lots or abandoned property.

d. Donation drop boxes must be placed on a paved or concrete surface and be located to the side or rear of the lot (behind the front line of the principle building on site). The location of the donation drop boxes must meet the minimum setback requirements for the lot and the boxes may not be placed in any required buffer, landscape strip, parking space, fire lane, loading zone, drive aisles or circulation area identified as required under the Douglas County Unified Development Code.

e. The donation drop boxes are not permitted to be located in a manner that obstructs visibility at intersections per the Douglas County Unified Development Code or at any other location that may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to surrounding land uses.

f. The maximum size for any donation drop box shall be five (5) feet in width by five (5) feet in depth and seven (7) feet in height.

g. When multiple donation drop boxes are located on an individual property, they must be adjacent to one another. When it is not feasible to place donation drop boxes adjacent to one another, then they must not be located within the same view shed.

h. The total allowable number of donation drop boxes depends on the size of the parcel on which the donation drop box is located with the following limitations:

- i. Property equal to or less than one acre shall have a maximum of one donation drop box.**
- ii. Property greater than one acre shall allow one donation drop box per one full acre.**
- iii. All donation drop boxes must be designed so that they are secured from unauthorized access.**

i. All donation drop boxes shall have the following clearly identified, in writing on the face of the box:

- i. Specific Items and materials requested for donation.**
- ii. Information identifying the organization(s) responsible for the maintenance and monetary proceeds of the donation drop box including a contact name, phone number, physical address and website for the organization(s).**
- iii. Statement that no items or materials may be left outside of the box**
- iv. Statement that the box is not intended for refuse disposal and liquids are prohibited (i.e. "Do not use for garbage, candy or food wrappers, drink bottles etc.")**
- v. In addition to the requirements above, the county issued registration sticker shall be affixed to the front face of the donation drop box.**

j. Each donation drop box must be regularly emptied of its contents so that it does not overflow.

k. All donated items must fit and be contained in the donation drop box. Donated items or materials shall not remain or be allowed outside of donation drop boxes and the areas around each box.

l. The owner or operator of the donation drop box, as well as the property owner of the parcel, shall be responsible for maintaining the area around each donation drop box so that it is free of litter, garbage, and any other undesirable material.

m. Failure to maintain the donation drop box or the area surrounding the donation drop box may result in removal of the donation drop box, at the expense of the property owner and/or owner or operator of the donation drop box, and the property owner and/or owner or operator of the donation drop box shall be prohibited from future donation drop boxes being allowed on this site for a period of five (5) years.

n. The property owner may remove the donation drop box from their property at any time regardless of a valid registration by the county.

(3) Waivers

A waiver of the total allowable size and number of donation drop boxes and/or the registration fee per donation drop box may be requested by submitting a letter to the Development Services Director, or his/her designee, that demonstrates compliance with the following conditions:

- a. The site is solely occupied by a public, educational, not-for-profit, or religious use or facility with adequate written proof of such organizational status.**
- b. The location, design, and maintenance of the donation drop box(es) is otherwise in conformance with this Article and the Unified Development Code.**

(4) Notice to violation

- a. If a violation of this Article is documented, the property owner and/or operator of the donation drop box shall be responsible for ensuring compliance with the regulations of this section.**
- b. With the first violation of this Article, the property owner and/or operator of the donation drop box shall be required provide a written plan to the Development Services Department Director, or his or her designee, to ensure full compliance with the regulations contained in this section within 5 days. The property owner and/or operator of the donation drop box shall be subject to a fine of \$100.00.**
- c. With the second violation of this Article, the property owner and/or operator of the donation drop box shall be required to show records and logs for compliance with this Article and will be required to hire a private company to assist them in ongoing**

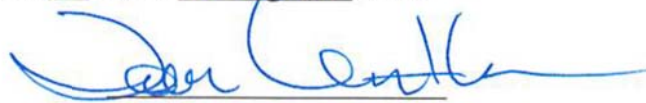
compliance with this Article. The property owner and/or operator of the donation drop box shall be subject to a fine of \$500.00.

d. With the third or any additional violation of this Article, the property owner and/or operator of the donation drop box shall be required to remove the donation drop box from the property at the expense of the property owner and/or operator of the donation drop box within thirty (30) days of the notice of violation. The property owner shall be suspended from having a donation drop box at this location for a period of five (5) years and shall be suspended from operating any new donation drop boxes in unincorporated Douglas County for a period of five (5) years. The property owner and/or operator of the donation drop box shall be subject to a fine of \$1,000.00.

BE IT FURTHER RESOLVED, that this Ordinance shall become effective upon adoption.

BE IT FURTHER RESOLVED, that all ordinances or resolutions, or parts thereof, in conflict with this Ordinance are repealed.

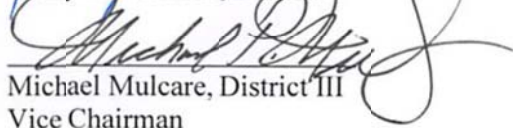
Ordained this 2 day of August, 2016.



Tom Worthan, Chairman



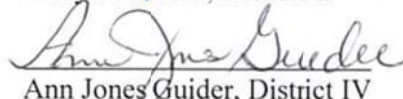
Henry Mitchell III, District I



Michael Mulcare, District III
Vice Chairman

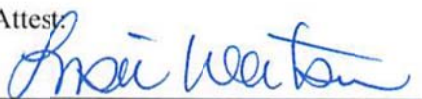


Kelly Robinson, District II



Ann Jones Guider, District IV

Attest:



Lisa Watson, County Clerk