

ORDINANCE NUMBER 9-2015

AN ORDINANCE AMENDING THE CITY OF GREER ZONING CODE TO ADD SECTION 6:17 DONATION BINS INCLUDING THE PURPOSE AND INTENT, DEFINITIONS, GENERAL REQUIRMENTS, AND CONFLICTS; AND TO AMEND SECTION 8:5.2 TO PROVIDE REQUIRMENTS FOR SIGNAGE ON DONATION BINS

WHEREAS, the Council of the City of Greer finds it is necessary to regulate the use of donation bins on property within the City of Greer; and,

WHEREAS, Greer City Council wishes to amend the City of Greer Zoning Code by adding Section 6:17 Donation Bins under Article 6 - General Provisions; and amending Section 8:5.2 Signs Exempt from Permit under Article 8 - Signs to insure the proper use of donation collection containers within the City of Greer; preserve and protect the visual quality and character of commercial neighborhoods in the City of Greer; and, promote the safety and health among the residents of the City of Greer.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Greer, South Carolina that the City of Greer Zoning Code be amended as follows:

Section 6:17 Donation Bins

6:17.1 Purpose and Intent

The purpose of the Donation Bin ordinance is to regulate the use of donation collection containers on property contained within the City of Greer. The ordinance will insure the proper use of donation collection containers within the City of Greer; preserve and protect the visual quality and character of commercial neighborhoods in the City; and promote safety and health among the residents of Greer.

6:17.2 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Donation Bin is defined as any container or receptacle held out to the public as a place for people to drop off articles of clothing or other items, including but not restricted to small appliances and toys, and to store such items until carted away.



Recycling Roll-off Container is defined as a container placed in public for the collection of papers, cardboards, plastics, and metals, including but not limited to aluminum and tin to be recycled by a waste collection agency.



Materials Recovery Facilities (MRF) is defined as industry comprised of establishments primarily engaged in operating facilities for separating and sorting recyclable materials from non-hazardous waste streams (i.e., garbage) and/or; operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.

6:17.3 General Requirements

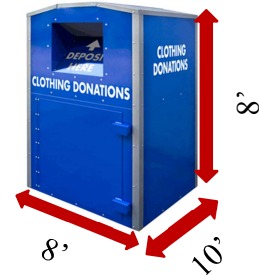
- A. **Donation bins are only allowed on commercially zoned property. Donation bins are not allowed on properties zoned for residential use or industrial use.**
- B. **A donation bin cannot be located within 500 feet of any other donation bin.**
- C. **Any single parcel of property can only contain one (1) donation bin.**
- D. **Placement Permits: Prior to the placement of a donation bin, the owner of the donation bin shall submit a fully completed placement permit at City Hall along with a \$200 filing fee, and the City, by and through the building and codes department, must accept and approve the permit. Permitting is subject to the additional requirements and provisions:**
 - 1. **A separate placement permit and \$200 fee is required for each and every donation bin.**
 - 2. **Each and every application requires written permission from the property owner(s) and any lessees of the property authorizing the placement of a donation bin upon the property.**
 - 3. **The permit will be valid for up to one year.**
 - 4. **Yearly re-application of any placement permit for a donation box is required and is subject to the above conditions, including the \$200 fee and written permission from the current property owner(s) and any lessees.**
- E. **Recycling Roll-off Containers are governed by the same requirements as donation bins.**

- F. Governmental agencies are exempt from fees, however, shall comply with all other requirements contained herein.
- G. Bin owners shall maintain the appearance of the bins and area within 10 feet of any bin.
- H. Signage shall be installed as follows:
1. Sign copy may include only the name of the charity and/or organization sponsoring the collection.
 2. Not more than one (1) sign, not to exceed 6 square feet, shall be displayed per container side and shall be attached to said container.
 3. Each donation bin must provide one of the following:
 - a. On the front of each bin of organizations that are for-profit that states "This bin is for donations to a FOR-PROFIT ORGANIZATION and may not be tax deductible".

This bin is for donations to a FOR-PROFIT ORGANIZATION and may not be tax deductible
 - b. On the front of each bin of organizations that are non-profit that states "This bin is for donations to a NON-PROFIT ORGANIZATION and may be tax deductible".

This bin is for donations to a NON-PROFIT ORGANIZATION and may be tax deductible
 - c. The size of the signage required herein shall be as follows:
 - i. 80% of the bins front width in length;
 - ii. and 6 inches in height.
 - iii. Font shall be red in color on a white background as shown above.
- I. If any donation bin is found to have violated any of the previous requirements, the City of Greer is allowed to remove the donation bin from its location without notice to the owner of the bin. If a bin is removed, the following provisions apply.

1. The donation bin may be re-claimed from the city for a fee of \$200 plus costs associated with its removal and storage.
2. The contents of the bin may be removed and disposed of in a manner deemed appropriate by the City of Greer, if bins are not re-claimed within 30 days of written notice provided by first-class mail to the address provided by the owner of the bin on its most recent placement permit.
3. For a bin to be placed for collection after its removal by the City, the owner of the donation bin must reapply for a placement permit as specified by Section 6:17.3(D) above.
4. Size of Donation Bins shall not exceed 8 feet in length by 10 feet in width and 8 feet in height or 640 cubic feet.



6:17.4 Conflicts

In the event any conflict exists between the provisions of this section and other currently existing provisions of the Greer Zoning Code or other ordinances of the city, the terms and provisions of this section shall take precedence and to the extent of any such conflict, the terms and conditions of any existing provisions of the Greer Zoning Code or other ordinances of the city shall be and hereby are amended insofar as necessary to conform to this section.

- A. Materials Recovery Facilities (MRF) shall only be located in areas with an appropriate zoning classification and will not be bound to the standards of Section 6:17 Donation Bins, however, shall comply with Section 7:4 of the City of Greer Zoning Regulations

8:5.2 Signs Exempt from Permit

- Q. Signs displayed on a donation container that has met all the requirements of Section 6:17 of the City of Greer Zoning Code ~~of a not-for-profit charitable organization which conform to the following:~~
 1. ~~Sign copy may include only the name of the charity and/or the organization sponsoring the collection.~~
 2. ~~Not more than one (1) sign shall be displayed per container side and shall be attached to said container.~~
 3. ~~Size of each sign shall not exceed 6 square feet.~~

This Ordinance shall become effective immediately upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

Attest:

Tammela Duncan, Municipal Clerk

Introduced By:

First Reading: February 24, 2015

Second and
Final Reading: March 10, 2015

Approved as to Form:

John B. Duggan, Esquire
City Attorney