

THE TOWN OF WEST GREENWICH  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

ORDINANCE NO. 97

AN ORDINANCE RELATED TO DONATION BINS

IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST GREENWICH, RHODE ISLAND, AS FOLLOWS:

Section 1. Requirements for Placement, Use of Clothing Bins. Notwithstanding any provisions to the contrary, no person shall place, use, or employ a donation bin, except in accordance with the requirements set forth herein. Donation bins may only be operated by charitable, religious, scientific, literary, and other organizations (hereinafter “organization”) exempt pursuant to section 501(c)(3) of the Internal Revenue Code.

Section 2. The owner of the donation bin shall obtain a permit, valid for a period of one year from the date of issuance, from the Building Official. The application for such a permit must include:

- a. The location where the donation bin will be situated, as precisely as possible;
- b. The name and telephone number of the office of the owner or agent of the donation bin;
- c. Written consent from the property owner to place the donation bin on the property;
- d. The schedule of pick-ups to remove articles from the donation bin, which shall be no less than twice per month;
- e. The name and telephone number of the person to be contacted if the bin is overflowing prior to the date of pick-up; and
- f. A certification of tax exemption pursuant to section 501(c)(3) of the Internal Revenue Code.

Section 3. The Building Official shall not grant an application for a permit to place, use, or employ a donation bin if the Building Official determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation bin within one hundred (100) yards of any place which stores or sells large amounts of fuel or other flammable liquids or gases.

Section 4. The Town Council may impose fees that may be adjusted from time to time to offset the cost involved in administering and enforcing this section.

Section 5. An expiring permit for a donation bin may be renewed upon application to the Building Official.

Section 6. All donation bins permitted under this article shall be properly painted, free of defects, and maintained in such a manner to present a neat, clean appearance.

Section 7. Whenever the Building Official or their designee determines that an organization or individual is engaging in any act or practice in violation of this ordinance, the Building Official shall cause a notice of violation to be affixed to the donation bin and mailed to the office of the owner or agent of the donation bin.

Section 8. Should three notices of violation issue, pursuant to Section 7 of this ordinance, within a rolling period of one year, the permit shall be revoked, and the donation bin shall be removed by its owner within ten (10) business days.

Section 9. Upon notice of revocation of the permit, the permit holder may appeal the decision of the Building Official to the Zoning Board. Such appeal shall be filed within thirty (30) days of the date of revocation of the permit. The filing of an appeal shall stay the enforcement action of Section 8 of this ordinance until the appeal is heard and decided by the Zoning Board; however, the donation bin shall be emptied, sealed, and covered to render it inoperable during such period. Any loose material or items placed around the donation bin during the stay shall be removed within five (5) business days.

Section 10. Any donation bin within the Town that does not comply with the provisions of this Ordinance shall be deemed non-compliant. The owner of any property on which a non-compliant donation bin is located, along with any organization that operates a non-compliant donation bin, may each be fined up to \$500 per violation.

Section 11. Each day a violation exists constitutes a new violation.

This ordinance shall take effect upon its passage.

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First Reading: December 9, 2015

Date of Initial Posting: December 17, 2015

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Second Reading: January 6, 2016

Council Action: X Adopted \_\_\_\_\_ Rejected

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