



Request for City Council Committee Action from Licenses and Consumer Services

Date: July 8, 2014

To: Council Member Lisa Goodman, Chair
Community Development and Regulatory Services Committee

Subject: Ordinance Amendment related to Donation Collection Bins

Recommendation: That the Community Development and Regulatory Services Committee approve adding Chapter 282 to the Minneapolis Code of Ordinances related to the licensing and regulation of Donation Collection Bins and adding an annual license fee to the License Fee Schedule.

Previous Directives: This issue was introduced to the Minneapolis City Council on June 13, 2014.

Department Information

Prepared by: Grant Wilson, Manager of Business Licenses, 673-3902

Approved by:

Cathy Polasky, Director of Economic Policy and Development

Grant Wilson, Manager of Business Licenses

Presenters in Committee: Grant Wilson

Financial

- No financial impact

Community Impact

- Neighborhood Notification: Public Hearing Notices were electronically sent to all neighborhood organizations, business associations and posted on the Business Licenses' website.
- City Goals: We sustain resources for future generations by reducing consumption, minimizing waste and using less energy.

Supporting Information

Free standing donation collection bins are common sites in metropolitan areas. Sponsoring organizations rely on material donations as a critical means to generate income for their programs. Individuals interested in contributing unwanted items have 24 hour access to

drop off sites in close proximity to their homes or work. Minneapolis currently has five donation bins operated by non-profit organizations.

Concerns related to the negative impact bins could have in a community, including irregular collection schedules, the accumulation of unwanted refuse, and/or substandard maintenance can be addressed by routine monitoring by Inspection staff.

Staff is proposing ordinance language creating a general business license for donation collection bins. In addition to a nominal annual license fee, license holders must display the license number on each bin, monitor the bins daily, empty the contents routinely, and keep bins well maintained. Currently donation collection bins operated by non-profit organizations must be authorized by the Zoning Division.

This amendment will allow donation collection bins to be available to both non-profit and for-profit organizations. The proposed regulations are intended to address the health, safety and general welfare of the residents and their community without adversely affecting the benefits available for both donors and recipients.

In addition to adding a Chapter 282 to the Minneapolis Code of Ordinances, staff is recommending creating the following annual license fees.

| License Fee Schedule | |
|-------------------------------------|-------|
| License Type | Fee |
| Donation Collection Bin, Commercial | \$220 |
| Donation Collection Bin, Non-Profit | \$35 |

The license fees recommended here are based upon a \$35.00 minimum application processing and annual renewal billing cost for each license, plus random, routine site inspections and complaint inspections, averaging 3.5 hours annually, \$25.27 per hour times 2.0 overhead and vehicle expense equals \$50.52 per hour of License Inspector cost, totaling \$211.82.

2014-Or-____

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Glidden

Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, by adding a new Chapter 282 relating to Donation Collection Bins.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 282 to read as follows:

CHAPTER 282. DONATION COLLECTION BINS

282.10. “Donation collection bin” defined.

A “donation collection bin” is a receptacle designed to allow the general public to donate unwanted but reusable items for purposes of recycling. Such bins shall meet all of the placement and design requirements established in this chapter.

282.20. License required. No person shall erect or maintain any donation collection bin without being licensed under this chapter for each bin.

282.30. Application for license. Every person desiring a license or licenses under this chapter shall apply to the licensing official, giving the location and specifications for each donation collection bin, the name and address of the applicant, and such other information as may be required in an application form to be prepared by the licensing official.

282.40. License fee. The annual license fee shall be established in the license fee schedule.

282.50. When licenses expire. Licenses issued under this chapter shall expire on January first of each year.

282.60. Site location requirements. Donation collection bins shall be subject to the following requirements:

- (1) In the residence and OR1 zoning districts, donation collection bins shall be located on a religious institution place of assembly, or an educational facility site of not less than twenty thousand (20,000) square feet.
- (2) Not more than one (1) bin shall be located on a zoning lot.
- (3) Items collected shall be limited to nonfood items that can be placed in the collection bin through the opening and shall not be left outside of the bin.
- (4) Bins shall be no more than six (6) feet in height, five (5) feet wide and four (4) feet deep, shall be installed on a hard, level surface and shall be locked or otherwise secured and maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be free of graffiti. The opening shall not exceed ten (10) square feet in area.
- (5) Bins shall be clearly marked to identify the specific items and materials requested to be left for donation and shall contain the following contact information in two (2) inch type visible from the front of each bin: the name, address, email, and phone number where the owner or operator may be reached. The bin shall also display a notice stating that no items or materials shall be left outside of the bin.
- (6) Bins shall be monitored daily and serviced and emptied as needed by the owner or operator, or the property owner, to prevent overflow of materials onto surrounding areas. All receipt, sorting and processing of goods collected shall occur within a completely enclosed building.
- (7) The bin shall be located no closer than twenty (20) feet from an adjacent permitted or conditional residential use.
- (8) The bin shall not be located in any required yards and shall not interfere with on-site circulation, landscaping, required off-street parking, accessible parking areas, walkways and any other requirements that may have been imposed as part of the site plan approval for the premises.
- (9) The use shall be located at least one thousand (1,000) feet from all existing donation collection bins unless it is located on the same zoning lot as the non-profit entity it serves.
- (10) The premises of all adjacent streets, sidewalks and alleys and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purpose of removing any litter found thereon.
- (11) Donation collection bins may not be located in any B4 zoning district.

282.70. Separate license required for each donation collection bin. A separate license shall be required for each donation collection bin at each location.

282.80. Transfer of title or control. Whenever a collection bin for which a license has been issued is sold or title or control thereof transferred or assigned, a new license shall be required and obtained for its maintenance.

282.90. Consent of property owners required. The consent of the property owners or lessees shall be required where the proposed location of a collection bin is to be located, and each application shall be accompanied by a written signed acknowledgment by the owners or lessees of the property.

282.100. Issuance of license. All applications for a donation collection bin license may be approved by the licensing official or by the city council.

282.110. Revocation or denial authorized. Any license may be revoked, or the application for renewal thereof denied, or other appropriate adverse license action taken, for failure to comply with the provision of this code, or for misrepresentation of any material facts in the application, or for any reason which would have been ground for denial of the original application, or where in the judgment of the city council maintenance has become inappropriate. No revocation or denial shall be made arbitrarily or inequitably as between different applicants.

282.120. Display of license number. Each donation collection bin shall have displayed thereon, in a conspicuous place, the license number and decal issued by the license official.

282.130. Maintenance of donation collection bins. The licensee shall maintain each donation collection bin at all times in a safe condition at its proper location, and inspect each bin daily in order that it may be properly maintained and to prevent items from being abandoned on or near the exterior of the bin. Donation collection bins shall be kept at all times in a neat, clean, well painted, and usable condition. Ice and snow shall be removed from the vicinity thereof in such a manner that each bin shall be accessible at all times.

282.140. Content of advertising. No advertising matter or sign shall be displayed upon any donation collection bin except so as to identify the licensee, and as previously approved by the licensing official.

282.150. Removal of donation collection bins by city. Upon the revocation or expiration of any license without renewal, if the licensee fails promptly to remove a donation bin, the city may do so within ten (10) days after written notice given by mail directed to the address of the licensee on file, and if the licensee shall fail to pay the cost of removal and storage thereof within a period of sixty (60) days after the giving of such notice, the licensee's rights in said bin shall be forfeited, but such forfeiture shall not excuse the licensee from the payment of the cost of removal and storage of said collection bin.