

TOWN OF PLAINFIELD
Notice of Enactment of Ordinance No. 124

Notice is hereby given that at a duly called Town Meeting on February 23, 2016, the following ordinance was adopted and became effective upon passage:

ORDINANCE NO. 124

AN ORDINANCE CONCERNING THE REGULATION OF CLOTHING DONATION BINS

Section 1. Purpose

The Board of Selectmen has found that the unregulated placement of clothing donation bins in the Town of Plainfield and the accompanying accumulation of donations and discarded items around said clothing donation bins have become a nuisance in the Town. The purpose of this Ordinance is to ensure that clothing donation bins are regulated, well maintained and do not become nuisances.

Section 2. Definitions

Clothing donation bin shall mean any enclosed container or receptacle held out to the public for the donation of clothing and the temporary secure storage of donated clothing.

Section 3. General Provisions

- a. No person or other legal entity shall place or maintain any clothing donation bin on any premises open to the public unless issued a Zoning Permit by the Zoning Officer as required by Section 15.8 of the Zoning Regulations.

- b. Clothing donation bins shall be permitted only on a commercially zoned parcel where there exists an occupied commercial building. Clothing donation bins shall not be allowed on vacant lots or lots where a commercial building is unoccupied. Should a building become vacant after a Zoning Permit has been issued for the placement of a clothing donation bin, the bin shall be removed from the property within thirty (30) days. The Zoning Officer shall approve the location of the clothing donation bin on the property such that it does not interfere with parking, traffic flow, pedestrian traffic, and sightlines. The application for a Zoning Permit shall include contact information for the owner of the bin and the property owner. Should the contact information change, the Zoning Officer shall be notified in writing of the new contact information within seven

(7) days of the change. Both the owner of the clothing donation bin and the property owner shall sign the Zoning Permit application.

- c. Clothing donation bins shall be emptied at regular intervals so that there is sufficient storage space in the bin for the public to place new donations.
- d. Any and all items left outside a clothing donation bin shall be removed within twenty four (24) hours of being placed there.
- e. Clothing donation bins shall be:
 - 1. Constructed of steel or fireproof material and designed in a way that is weatherproof and secured from entry by the public;
 - 2. Be no larger than seventy two (72) inches tall, seventy one (71) inches wide, and sixty (60) inches deep; and
 - 3. Maintained in good condition, free from damage, weathered surfaces and corrosion.
- f. All clothing donation bins shall clearly display a notice in block letters at least two inches high stating:
 - 1. If the donation is for a charitable purpose:
 - i. The name of the nonprofit organization that will benefit from the donation;
 - ii. The name and telephone number of the owner of such bin; and
 - iii. That the public may contact the Department of Consumer Protection for further information, or
 - 2. If not intended for a charitable purpose:
 - i. That such donation is not for a charitable purpose; and
 - ii. The name and telephone number of the owner of such bin.
 - 3. Such notice shall be on the same side of the bin where the donation is likely to be made.
- g. The Zoning Permit applicant may apply for two (2) clothing donation bins on a single parcel of land if the volume of donations warrants the extra storage capacity; however, no more than two (2) clothing donation bins shall be allowed on a single parcel.
- h. No owner shall be permitted to place more than ten (10) clothing donation bins in the Town.
- i. Property owners having clothing donation bins on their property at the time this Ordinance is adopted shall be notified by certified mail that a Zoning Permit is required. Permits for such unregulated bins must be obtained from the Zoning Office within thirty (30) days of receipt of the mailing of said notices or the person(s) responsible for such unregulated bins will face enforcement proceedings and penalties, pursuant to Section 4 of this Ordinance.

Section 4. Enforcement and Penalty

- a. The owner, lessee, or other person or legal entity in control of the property where the clothing donation bin is being maintained and the person or entity which owns, maintains, or operates the clothing donation bin in violation of this Ordinance shall be jointly and severally liable for such violation(s) therefor.
- b. Any person who violates any provision of this Ordinance shall be fined one hundred dollars (\$100.00) for each offense. Any such violation of this Ordinance shall constitute a new offense for each day it continues to exist thereafter.
- c. The Zoning Officer shall reserve the right to revoke the Zoning Permit for any clothing donation bin which has been the subject of three (3) fines pertaining to violations of any provision of this Ordinance.
- d. The Plainfield Police Department shall be responsible for the enforcement of this Ordinance.

Section 5. Effective Date

This Ordinance shall become effective upon passage.

Dated at Plainfield, CT

The 2nd of March, 2016

Paul E. Sweet, First Selectman

Albert E. Brunsdon, Selectman

George Krecidlo, Selectman