

No. \_\_\_\_\_

**AN ORDINANCE**

**AN ORDINANCE REQUIRING A PERSON OR ENTITY LOCATING A RECEPTACLE IN GREENVILLE COUNTY FOR DONATED CLOTHING, FOOTWEAR OR HOUSEHOLD GOODS, TO CLEARLY DISPLAY CERTAIN INFORMATION ON THE RECEPTACLE TO KEEP THE RECEPTACLE IN GOOD CONDITION; AND REQUIRING THE WRITTEN PERMISSION OF THE PROPERTY OWNER BEFORE PLACING THE DONATION RECEPTACLE IN GREENVILLE COUNTY**

**WHEREAS**, Greenville County Council finds there has been a recent proliferation of unattended donation ~~boxes~~ receptacles placed in Greenville County for the purpose of collecting used clothes or household goods or other new or used items; and

**WHEREAS**, County Council finds that citizens often place clothing or household goods in these ~~boxes~~ receptacles with the belief that their donations are charitable and tax-deductible; and

**WHEREAS**, County Council finds that a significant number of collection ~~boxes~~ receptacles being placed in the County are run by enterprises who may sell these donations for-profit on the secondary materials market, often overseas; and

**WHEREAS**, County Council finds that requiring certain ownership information on these boxes provide information to citizens about the ownership of the boxes and assist in determining whether or not the donations will be used for a charitable purpose; and

**WHEREAS**, County Council finds that requiring the person or entity placing the donation receptacles in Greenville County to have the written permission of the property owner at the location of the receptacle and requiring certain standards for the receptacles will ensure that receptacles are authorized and kept in good order.

**NOW, THEREFORE, BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:**

**Section 1. Definition.** A “public donation receptacle” means any unattended container, box, or similar device that is used for soliciting and collecting donations of clothing, footwear, and other salvageable household goods. This term does not include recycling bins for the collection of recyclable materials (such as paper, glass and similar items used for recycling and not for resale) or any unattended donation receptacle located within a building.

**Section 1 2. Donation Box Receptacle Requirements.**

**(A)** No person or entity may place a public donations receptacle, whether attended or unattended, in Greenville County to collect donated clothing, footwear, or household goods unless that person or entity attaches to the receptacle a notice that is permanently and prominently displayed on the same side of the bin where the donation is likely to be made ~~and on at least three sides of the receptacle, in bold print, with letters at least 3 inches in height and 1.5 inches in width,~~ containing the name, physical business location address, other than a post office box number, and telephone number of the individual, business or charity. The sign must indicate that the donation receptacle was placed on

the property with the permission of the owner of the property. The notice also must state one of the following, depending on the status of the person or entity placing the receptacle: “Donated items are NOT tax deductible” or “Donated items MAY be tax deductible, consult your tax advisor”.

(B) No person or entity may place a public donation receptacle, whether attended or unattended, on property in the unincorporated area of Greenville County without first obtaining the written permission of the property owner. A person or entity who fails to provide written documentation of permission upon request by Greenville County is in violation of the ordinance.

(C) Unattended public donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be free of graffiti. In addition, unattended donation receptacles shall be locked or otherwise secured. Unattended donation boxes shall be serviced and emptied as needed, but at least every thirty (30) days.

**Section 2. Penalties.** A violation of this Ordinance shall constitute a misdemeanor and shall be punishable within the jurisdictional limits of magistrate’s court. In addition, Greenville County may post a violation notice on any donation receptacle not in compliance with the provisions of this ordinance. The County may remove and destroy a donation receptacle which is not in compliance with the provisions of the ordinance thirty (30) days after the notice of violation has been posted on the receptacle.

**Section 3. Effective Date.** This ordinance shall become effective thirty (30) days after ~~on~~ the date of its adoption.

DONE IN REGULAR MEETING THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
Bob Taylor, Chairman,  
Greenville County Council

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Theresa B. Kizer,  
Clerk to Council

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Joseph Kernell,  
County Administrator