

AN ORDINANCE

AN ORDINANCE PROHIBITING UNATTENDED DONATION RECEPTACLES IN GREENVILLE COUNTY.

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

WHEREAS, Greenville County Council finds that unattended donation receptacles are placed without authorization in public rights of way, or in marked parking spaces and other locations potentially hazardous to pedestrian and vehicular traffic; and

WHEREAS, When material accumulates outside of unattended donation receptacles, it is unsightly, attracts vermin, and is often ruined or scattered by wind and rain; and

WHEREAS, for the reasons stated above, unattended donation receptacles placed outdoors are often detrimental to the public health, safety, and general welfare of Greenville County.

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

Section 1. Definition. A “donation receptacle” means any unattended container, box, or similar device that is used for soliciting and collecting donations including but not limited to, clothing, footwear, books, and other salvageable household goods.

Section 2. Prohibition. Notwithstanding any other provision of law, unattended donation receptacles located outdoors are prohibited unless located at an operational site of a company or organization that collects used clothing, footwear, books, or other salvageable household goods for resale or donation as a primary business function.

Section 3. Penalties. A violation of this Ordinance is a civil infraction and shall subject the offender to a civil penalty of not more than \$200.00 per day. Each separate day of a violation constitutes a new and separate violation. 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 fifteen (15) days after the notice of violation has been posted on the receptacle.

Section 4. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date. This ordinance shall become effective thirty (30) days after the date of its adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2014.

ATTEST:

Bob Taylor, Chairman,
Greenville County Council

Theresa B. Kizer,
Clerk to Council

Joseph Kernell,
County Administrator