



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

**BILL NO. 130253**

---

**Introduced April 4, 2013**

---

**Councilmembers Jones and Tasco**

---

**Referred to the  
Committee on Licenses and Inspections**

---

## **AN ORDINANCE**

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by adding a section requiring a license for the placement of drop-off bins intended to receive donations of clothing and household items and establishing maintenance requirements in connection with such bins, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 9 of The Philadelphia Code is amended as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

\* \* \*

CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS AND AREAS  
*ACCESSIBLE TO THE PUBLIC*

\* \* \*

§ 9-215. *Donation Drop-Off Bins.*

(1) *Definitions.*

(a) *Donation drop-off bin. A container or bin used for the purpose of receiving donations of clothing or household items for retrieval by the donation drop-off bin owner, or its agent.*

# City of Philadelphia

BILL NO. 130253 continued

(b) *Donation drop-off bin owner.* The entity or person that owns and/or receives the benefit of the donated items deposited in the donation drop-off bin.

(c) *License.* A permit issued by the Department to the donation drop-off bin owner to occupy a space on private or public streets or other areas accessible to the public.

(d) *Property owner.* The owner of the property on which a donation drop-off bin is located.

(2) *Prohibited and required conduct.*

(a) *Within 90 days of the effective date of this Section, no person or entity shall place or maintain a donation drop-off bin on a street or in a location accessible to the general public, or permit such placement of a donation drop-off bin on his or her property, unless the donation drop-off bin has been properly licensed with the Department.*

(b) *Any donation drop-off bin owner who has placed a donation drop-off bin in a location accessible to the general public shall:*

(i) *empty the bin of all items, including all donated items placed in the immediate surrounding area, at least once per week;*

(ii) *empty the bin within 24-hours of notice of donated items placed outside the bin in the immediate surrounding area; and*

(iii) *ensure that the bin bears a valid license and emergency contact information that is publicly displayed on a conspicuous portion of the bin.*

(c) *The property owner should endeavor to notify the Department:*

(i) *when an un-licensed donation drop-off bin has been placed on the property; and*

(ii) *when a licensed donation drop-off bin had not been emptied weekly or has donated items overflowing onto the immediate surrounding area.*

# City of Philadelphia

BILL NO. 130253 continued

(3) *Licensing procedures.*

(a) *Application for a donation drop-off bin license shall be made to the Department and shall include:*

(i) *the name, address and telephone number of the legally responsible party for the operation and maintenance of the donation drop-off bin;*

(ii) *the name, address and telephone number of the entity applying for the license;*

(iii) *the street address and a description of the precise location for the placement of the donation drop-off bin on the property;*

(iv) *the name, address and telephone number of the property owner, or his or her agent, where the bin is to be placed, if such person is different than the applicant;*

(v) *information as to the manner in which the bin is to be emptied or removed, including the removal schedule, and the destination of the clothing and or household items to be removed from the bin; and*

(vi) *any other information deemed necessary by the Department.*

(b) *No license shall be granted for the placement of a donation drop-off bin in a public right-of-way unless the Streets Department has first approved such placement, based on the conclusion that such placement in the right-of-way will not unreasonably impede public use of the right-of-way.*

(c) *The Department may set the term for expiration of the license as it deems appropriate.*

(4) *The Department shall not charge a fee for issuance of a license under this Section.*

(5) *Notice of Enactment. As soon as practicable after enactment of this Section, the Department shall prominently post signs on all currently existing donation drop-off bins explaining the requirements of this Section and the potential penalties for failure to adhere to the those requirements, and the Department shall*

# City of Philadelphia

BILL NO. 130253 continued

*take such other actions as deemed necessary to disseminate information on compliance to affected persons and organizations.*

(6) *Enforcement and Penalties.*

(a) *General.* *The Department shall enforce the provisions of subsection (2) (b) against the donation drop-off bin owner, or its agents, pursuant to Section 9-103 and Section 9-105 of this Title. The Department shall not issue any violations against a property owner.*

(b) *Suspension and Revocation for Repeat Offenders.* *Any license issued pursuant to the provisions of this Section shall be subject to suspension by the Department for failure to comply with the requirements of this Section after a re-inspection has been made to determine compliance after issuance of a notice of violation, or for failure to pay any fine and/or cost imposed under this Section or the Administrative Code, or for repeat offenders as defined under Section 9-105 (4) of this Title, and such suspension shall continue until there has been compliance and all unpaid fines and costs have been paid in full.*

SECTION 2. This Ordinance shall be effective in 30 days.

---

**Explanation:**

*Italics indicate new matter added.*