



## UNATTENDED DONATION BIN PERMIT

**ORGANIZATION INFORMATION**

Name \_\_\_\_\_ Address \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Web Site \_\_\_\_\_

**ORGANIZATION MANAGERS INFORMATION (Business Manager)**

Name \_\_\_\_\_ Address \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Business Name \_\_\_\_\_ Owner Name \_\_\_\_\_  
 Owner Address \_\_\_\_\_ Phone Number \_\_\_\_\_  
 Owner Web Site \_\_\_\_\_ Email Address \_\_\_\_\_

**A - APPLICATION REQUIREMENTS – Section 5.10.006**

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	A signed agreement is attached stating that the property owner and operator will abide by the processes and requirements of this article?
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	A non-refundable application fee of \$100.00 per unattended donation bin has been submitted?
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	A signed authorization from the property owner to allow placement of the unattended donation bin is attached?
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Proof of general liability insurance of at least \$1,000,000 covering any losses or claims due to the placement, operation, and maintenance of the unattended donation bin and naming the city as an additional insured is attached?
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	For nonprofit operators, evidence is required to be submitted indicating that the nonprofit is recognized by the Internal Revenue Service as such. For for-profit operators, proof of an active business tax certificate is required to be submitted. Is the pertinent evidence attached?
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Proof of an active business tax certificate for the primary business on the property is attached?
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	The name, address, email, website (if available), and telephone number of the operator and property owner, including 24-hour contact information has been provided?
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Photographs of the property and adjacent properties are attached?
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan is attached? (Must show boundaries, all buildings, bin location, distance of proposed bin to the property lines and buildings, driveways, garages, carports, parking spaces, maneuvering aisles, pavement, and striping/markings)
10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Elevations showing the appearance, materials, and dimensions of the donation bin is attached?
11.	<input type="checkbox"/> Yes <input type="checkbox"/> No	A description and/or diagram of the proposed locking mechanism of the unattended donation bin is attached?
12.	<input type="checkbox"/> Yes <input type="checkbox"/> No	A maintenance plan (including graffiti removal, pick-up schedule, and plans for litter and trash removal on and around the donation bin) that is sufficient to prevent/eliminate concerns related to public health, safety, and welfare is attached?

**B - PERMIT APPROVAL & LOCATION RESTRICTIONS – Section 5.10.008 & 5.10.010**

(To be completed by the City)

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Has the applicant submitted a complete and accurate application accompanied by the applicable fee? If the application does not contain all the requested information, it is considered an Incomplete Application. An application remaining incomplete for ninety (90) days may be administratively denied; in the event that the Director of Development Services denies the permit, the applicant may appeal the decision to the City Council within ten (10) days of the date of the Director’s decision.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	The City has verified that the property owner and donation bin operator do not have any pending citations, unpaid fines, or unresolved violation or complaints related to any donation bin managed by the property owner or donation bin operator.
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	All existing unpermitted donation bins that are managed by the proposed operator have been removed.

4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Any verified nuisance on the property has been abated, and any case of a complaint to the City regarding nuisances on the property has been closed.
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the proposed unattended donation bin located in the “C” Commercial, “HC” Highway Commercial, or “LI” Light Industrial zoning district? Zoning district is: _____
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the proposed unattended donation bin to be located in a parking lot designed for more than 100 parking spaces maintained by a business in operation?
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	In the case of a property with a shared parking lot for more than one business, will the proposed unattended donation bin be the only such bin on the property?
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the proposed unattended donation bin located at least 1,000 feet from another existing unattended donation bin? In the case of a shopping center or office development that consists of multiple platted lots, the Director shall treat the shopping center or office development as if it is one contiguous lot.
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the proposed donation bin located at least 500 feet from property zoned for residential uses?
<b>C - OPERATION REQUIREMENTS – Sections 5.10.007, 5.10.009, 5.10.011</b>		
<b>(By marking yes, you are confirming that you have read the following section and you will comply with all of the requirements)</b>		
1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	The permit expires on December 31 <sup>st</sup> of each year.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	No permit issued under the provision of this article shall be transferred and the authority a permit confers shall be conferred only to the permit holder named on the permit.
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Unattended donation bins are prohibited within any required building setback, landscaping, buffer yard, easements, public right-of-way or within thirty (30) feet of a right-of-way, floodplain, driveway, required parking or loading spaces, fire lanes, visibility triangle, or within ten (10) feet of any property line.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Unattended donation bins shall be placed to facilitate drop-off and pick-up of items in the bin. The unattended donation bin(s) shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the bin(s) may not be accessed by anyone other than those responsible for the retrieval of the contents.
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Placement of unattended donation bins shall not interfere with: building ingress and egress; required handicapped accessibility routes; trash enclosure areas or access to trash bins/trash enclosures; functioning exhaust, ventilation, or fire extinguishing systems; or any other requirements that may have been imposed as part of the site plan approval for the building on the property.
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	An unattended donation bin shall be placed no more than ten (10) feet from a continually operating light source of at least one (1) foot-candle.
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Parking shall be provided for persons accessing the unattended donation bin.
8.	<input type="checkbox"/> Yes <input type="checkbox"/> No	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.
9.	<input type="checkbox"/> Yes <input type="checkbox"/> No	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.
10.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Minimum Physical Attributes are: fabricated of durable and waterproof materials; be placed on a durable pad site with a metal tray capable of catching any leaked or seeping materials; not exceed 175 cubic feet in size or six feet, six inches in height; not be electrically or hydraulically powered or otherwise mechanized; not be a fixture of the property or considered an improvement to real property; and have one color that is not high-intensity or fluorescent, including associated signage.
11.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Minimum screening requirements are: each unattended donation bin shall be screened from the view of the public on three (3) sides, or if located on a corner of a lot, on a minimum of two (2) sides whereby the screening blocks the view from the adjacent streets; minimum screening shall consist of a six-foot (6’) wood fence, or comparable materials upon prior approval of the Director; all screening should be conducted to prevent the storage or placement of donations outside the unattended donation bin, with the screening fence itself being no more than two (2) feet from the screened unattended donation bin; and screening shall be maintained in vertical and good condition, with no rotted or missing slats or boards.
12.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Include the following information conspicuously displayed on at least two-inch type visible from the front and sides of the unattended donation bin: the name, address, 24-hour telephone number, and, if applicable, the internet web address and email address of the property owner and operator; address and parcel number of the property; instructions on the process to register a complaint regarding the unattended donation bin to the City; the type of items that may be deposited; a notice stating that no material shall be left outside the unattended donation bin; the pickup schedule for the unattended donation bin; and the permit medallion sticker from the City.

**D - MAINTENANCE AND UPKEEP - Section 5.10.012****(By marking yes, you are confirming that you have read the following section and you will comply with all of the requirements)**

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	The visual and structural integrity of an unattended donation bin shall be maintained continuously. The thirty (30) foot perimeter around the bin shall be free of any donated items, litter, debris, or other materials.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	All unattended donation bins shall be maintained and in good working order. Items to be repaired, removed, and/or abated include, but are not limited to, graffiti, removed or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Each unattended donation bin must be serviced not less than once weekly between 7:00 a.m. and 7:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. on weekends. Servicing shall include maintenance of the container, the removal of collected material, and the abatement of graffiti, litter, or other nuisance condition prohibited by the City's Code of Ordinances.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Unattended donation bins cannot be used for the collection of solid waste or any hazardous materials.

**E - REVOCATION OF PERMIT - Section 5.10.013****(By marking yes, you are confirming that you have read the following section and you will comply with all of the requirements)**

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Any permit issued hereunder may be revoked by the Director if the permit holder (1) has received three (3) citations for violation of this article within a twelve (12) month time period, (2) has knowingly made a false material statement in the application, or (3) otherwise becomes disqualified for the issuance of a permit under the terms of this article. The unattended donation bin shall be immediately removed upon permit revocation.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Notice of the revocation shall be given to the permit holder in writing, with the reasons for the revocation specified in the notice, served either by personal service or by certified United States mail to their last known address. The revocation shall become effective the day following personal service or if mailed, three (3) days from the date of mailing.
3.	<input type="checkbox"/> Yes <input type="checkbox"/> No	The permit holder shall have ten (10) days from the date of the revocation notice in which to file a written notice with the Director of their appeal from the revocation. The Director shall provide for a hearing on the appeal not later than thirty (30) days after the notice of the appeal is filed. The City Council shall hold a hearing on the appeal within 30 days. The City Council's decision is final.
4.	<input type="checkbox"/> Yes <input type="checkbox"/> No	A timely filed appeal of revocation pursuant to this Section shall stay the revocation until said revocation is finalized by the City Council.
5.	<input type="checkbox"/> Yes <input type="checkbox"/> No	If the revocation is affirmed by the City Council, the operator shall remove the unattended donation bin no later than 48 hours after said decision. Upon expiration of the 48-hour period, the unattended donation bin shall be subject to immediate impoundment by the City without further notice. Any unattended donation bin impounded by the City shall be released to the operator upon payment of all applicable impoundment and storage fees. Storage fees are \$25.00 per day.
6.	<input type="checkbox"/> Yes <input type="checkbox"/> No	In the event the permit is revoked, no additional permits shall be issued to such person or entity within one (1) year of the date of revocation.
7.	<input type="checkbox"/> Yes <input type="checkbox"/> No	In the event that any operator has two (2) or more permits revoked within a twelve (12) month period, then all permits issued to such person or entity shall be revoked, and all unattended donation bins operated by such person or entity shall be removed.

**F - ENFORCEMENT, VIOLATIONS & PENALTIES - Section 5.10.014****(By marking yes, you are confirming that you have read the following section and you will comply with all of the requirements)**

1.	<input type="checkbox"/> Yes <input type="checkbox"/> No	In the event that any operator has two (2) or more permits revoked within a twelve (12) month period, then all permits issued to such person or entity shall be revoked, and all unattended donation bins operated by such person or entity shall be removed.
2.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Nothing in this article shall preclude the City's pursuit of any and all other remedies allowed under civil and criminal statutes, and in equity, to address conditions which are treated in this article, under the theory of public nuisance or public health and safety. Neither shall the City be required, nor prohibited, to issue criminal citations before, after, or during any proceeding prescribed in this article. Specifically, in addition to provisions of this article, the City asserts full authority to exercise its right to remedies under all provisions of the V.T.C.A., Local Government Code, including, but not limited to, Chapter 54, Subchapter B, Municipal Health and Safety Ordinances, in prosecution of civil suits for enforcement, injunctive relief, and civil penalties to remedy conditions of public concern.

Organization Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_