

**To the Mayor and Members of the City Council****June 17, 2025**

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SUBJECT: MANAGEMENT OF DONATION BOXES

The purpose of this Informal Report is to provide information and outline expectations for the proper management of donation boxes, also referred to as donation bins.

Background

Donation boxes often located at commercial retail parking lots allow individuals to donate items, like clothing, for resale or reuse. Donation boxes must be authorized by private property owners and properly zoned. In addition, donation box owners/operators must ensure proper maintenance and consistent service levels. No materials should overflow or accumulate outside of an authorized donation box. Because donation box owners/operators are typically unaffiliated with private property owners, private agreements are strongly encouraged between property owners and donation box owners/operators before any duly authorized donation box is placed into service. Donation boxes are not allowed on public property without an agreement approved by City Council, and donation boxes are not allowed within public rights-of-way.

Zoning

Donation boxes are included within the "recycling collection facilities" land use category in the Zoning Ordinance. They are allowed in commercial, mixed-use and some form-based zoning districts through a special exception granted by the Board of Adjustment. When granting a special exception for a donation box, the Board of Adjustment considers size, location, design, land use, and assurance that required off-street parking is not diminished. Donation boxes are allowed by right within industrial zoning districts.

Enforcement

As of July 1, 2025, donation box enforcement will transition to the Environmental Services Department. This includes land use, zoning and property maintenance violations on commercial or industrial properties. Environmental Services will investigate donation box complaints for illegal placement and/or overflowing/accumulated materials on private property. Written notices of violation will be sent to both the donation box owner/operator and private property owner to resolve donation box violations. Staff will also use any contact information on donations boxes to support its removal, when possible. If donation box owners/operators are not responsive, then citations may be issued. If a donation box has been placed on private property without consent from the private property owner, then the property owner may remove the illegal donation box. Staff recognize the costs associated with private property maintenance. At this time, the City does not remove private donation boxes on private property; however, staff will continue to benchmark other programs, ordinances and systems with costs and benefits.

For a donation box on public property or within the public right-of-way, Environmental Services will typically notify the donation box owner/operator that a donation box is within a right-of-way and must be removed – typically within 48 hours, Monday through Friday. In some cases, Environmental Services may ultimately need to remove a donation box for disposal. Staff will continue to evaluate program options to manage illegal donation boxes in public areas.

For any questions, please contact Assistant Environmental Services Director, Wyndie Turpen: (817) 392-6982.

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City Manager