



Borough of Matawan

201 Broad Street, Matawan, NJ 07747

www.matawanborough.com

732-566-3898

Application for Clothing Donation Bin

Name of Registered Organization pursuant to P.L. 1994, c.16

Office Address, Telephone and Contact for Register Organization: _____

Profit_____ Non-Profit_____

Name and telephone number of any organization or entity that may share or profit from any collected items.

Location of Bin: _____

Written Consent of Property Owner to place Bin on Property: _____ (please attach)

Information must be provided that details the manner in which the organization anticipates any clothing or other donations collected via the bin would be used, sold, or disbursed and the method by which the proceeds of collected donations would be allocated or spent.

How often will bin be emptied? _____

Contact Tele. For pick-up: _____

Signature of Applicant: _____

Date: _____

Print Name: _____

Zoning Officer's Approval: _____

Date: _____

Permit will be issued upon approval and must be posted on clothing bin.

Fee: \$25.00 Annually

ORDINANCE 12-12

*Police
Jan -6*

**AN ORDINANCE PROVIDING FOR CLOTHING DONATION BINS
WITHIN THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY THAT PURSUANT TO N.J.S.A. 40:48-2.60 AND 40:48-2.61 et seq that regulations for the placement and use of clothing donation bins within the Borough are hereby established.

SECTION I

I. Licensing of Clothing Donation Bins

Notwithstanding any other provision of law to the contrary, no person shall place, use, or employ a clothing donation bin within the Borough for solicitation purposes unless all of the following requirements are met:

- a. The clothing donation bin is owned or sponsored by a organization registered pursuant to P.L. 1994, c. 16 (N.J.S.A. 45:17A-18 et seq.), any non-charitable organization, or is sponsored by any department of the Borough;
- b. The registered organization has obtained a permit, valid for a twelve-month period, from the Borough's Zoning Officer in accordance with the following:

In its application for such a permit, the registered organization shall indicate:

1. The location where the bin is currently situated or proposed to be situated;
2. The manner in which the organization anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds of collected donations would be allocated or spent;
3. The name and telephone number of the bona fide office of the organization and any entity which may share or profit from any clothing or other donations collected via the bin; and
4. Written consent from the property owner to place the bin on its property.

The Zoning Officer shall not grant a permit to place, use, or employ a clothing donation bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a clothing donation bin within one hundred (100) yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.

In cases when any entity other than the entity which owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared or given entirely to, an entity other than the entity which owns the bin, and identifying all such entities which may share or profit from such donations.

The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the clothing donation bin in addition to the location where that bin is located.

II. Fee

The Zoning Officer shall impose a fee for such application, in the amount of twenty-five (\$25.00) dollars annually for each bin to offset the costs involved in enforcing this section.

An expiring permit for a clothing donation bin may be renewed upon application for renewal and payment of the applicable annual fee. Such application for renewal shall contain all the information as required for the original issuance of said permit.

The owner of any clothing donation bin which is sponsored by any department of the Borough shall be required to comply with the licensure requirements hereof, but shall specifically be exempt from the fee requirement hereof.

III. Location Criteria

- a. The bins are not to be placed in the front yard.
- b. A minimum ten (10) foot setback from property lines should be required.
- c. Bins should not be placed in any required driveways or on any unimproved lot.
- d. No bins permitted on residential properties.
- e. Whenever possible, the bins should not be placed on lots adjacent to residences; however, should the Zoning Officer determine that it is appropriate to establish a bin on such a location, it must be set back a minimum of ten (10) feet.
- f. Bins may be placed within a parking area, provided the Municipal Engineer determines that the space or spaces dedicated to the bin are underutilized.

IV. Duty to Maintain and Service Bins

It shall be the duty of each registered organization issued a permit hereunder to properly maintain and service any clothing donation bin placed within the Borough so as to prevent such clothing bin from creating any nuisance, hazardous or unsafe condition.

V. Enforcement and Limitation on Licenses.

The Zoning Officer shall, upon receipt of a complaint by a local resident or any other person that a clothing donation bin is causing a nuisance, hazardous or unsafe condition, investigate such complaint and take such enforcement action as is permitted pursuant to N.J.S.A. 40:48-2.62 and N.J.S.A. 40:48-2.63. The Zoning Officer shall not be authorized to issue more than two (2) clothing donation bin permits at any given site.

VI. Violations, Penalties and Revocation of License.

Any licensee who violates any provision of this section and fails to cure such violation within forty-eight (48) hours of notice of such violation shall be subject to the following penalties, in addition to those penalties and remedies as set forth in N.J.S.A. 40:48-2.62 and 40:48-2.63:

- a. For the first offense: \$100.00 per day.
- b. For the second offense: \$250.00 per day.
- c. For the third offense: mandatory revocation of permit.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon final passage and publication as provided by law.

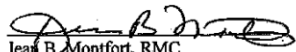
Introduced: July 17, 2012
Passed: July 17, 2012
Adopted: August 7, 2012


Honorable Paul Buccellato, Mayor

CERTIFICATE OF ORDINANCE

I, Jean B. Montfort, Borough Clerk of the Borough of Matawan, County of Monmouth and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Borough Council of the Borough of Matawan on August 7, 2012.

IN WITNESS WHEREOF, I have set my hand and seal of the Borough of Matawan this 7th day of August, 2012.


Jean B. Montfort, RMC
Municipal Clerk