

Borough of Pottstown

Borough Hall, 100 East High Street
Pottstown, Pennsylvania 19464-9525

Licensing and Inspections
Phone (610) 970-6520
Fax (610) 970-6599

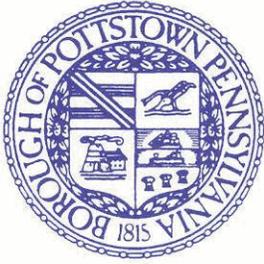
Donation Bin Permit Pre-Application Checklist

1. Guidelines relating to this Donation Bin Permit Application reviewed.

2. Donation Bin Permit Application fully completed and signed.

3. Attached with this Donation Bin Permit Application are the following.
 - a. Plot plan drawn on an 8 ½" by 11" sheet of paper that shows the property lines and bordering streets and/or alleys, all existing structure(s) on the property and the proposed location of the Donation Bin and setbacks.
 - b. Written and signed consent from the property owner, lessee or other person / legal entity in legal control of the property on which the proposed Donation Bin is to be located.
 - c. Copy of the required Certification of liability insurance.

Incomplete applications will be returned. The security deposit and permit fees will be required upon approval of the Donation Bin Permit Application.



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Donation Bin Permit Application

Borough of Pottstown Ordinance 2148

MUST BE PRINTED OR TYPED IN INK

Property Address: _____

Property Owner's Name: _____ Phone: _____

Property Owner's Address: _____

Property Owner's Email: _____

Name of Owner/provider of the Donation Bin: _____

Address: _____ Phone: _____

Email of Owner/provider of the Donation Bin: _____

Identification number of the Donation Bin: _____

Date of Placement: _____ Date of Removal: _____

Location where bin is to be placed on property: _____

Attach a plot plan to this application, drawn on an 8 ½ x11 sheet of paper that shows property lines, all existing structure(s), location of proposed Donation Bin and setbacks, including street and/or alley names.

Description of items to be collected: _____

Manner in which donated items collected via the Donation Bin would be used, sold, or dispersed, and the method by which the proceeds of donations would be allocated or spent:

Name, address and telephone number of the bona fide office or person or entity which may share or profit from any donated item(s):

1. _____

2. _____

Written signed consent from the owner, lessee, or other person or legal entity in control of the property on which the bin is placed.

Name, address, and telephone number of the bona fide office representative or person or entity which shall be responsible for the collection and pick-up of the contents of the Donation Bin and the pick-up schedule for the Donation Bin.

Name: _____

Address: _____

Phone: _____

Email: _____

Pick-Up Schedule: _____

Contents of the Bin shall be collected and picked-up no less than once per week !

Please read the following guidelines

1. Donation Bin shall be easily accessible to the public and placed only in well-lit area on a paved, gravel or stoned driveway or parking area, and not less than twenty feet (20) from the curb line or edge of pavement of a public roadway. With proper cause, this requirement may be waived by the Code Enforcement Officer. The placement of a Donation Bin shall not be in a manner which constitutes a safety hazard to persons or property. The Bin shall not encroach into drainage areas/easements or landscaping buffers, or the legal right-of-way, and shall not be

placed so that a person lawfully using the sidewalk must detour into the street in order to go around the Bin.

2. The Donation Bin shall be conspicuously marked with the following:
 - a) name, address, and telephone number of the applicant
 - b) name, address, and telephone number of the bona fide office or person or entity responsible for the collection and pick-up of the contents
 - c) a copy of the current effective permit shall be visibly attached to the Donation Bin
 - d) a copy of the application for the permit filed with the Borough Code Enforcement Department
3. Only one (1) Donation Bin per property will be permitted at any time. A Donation Bin shall be limited to a maximum floor area of 36 square feet and a maximum of 7 feet in height (or whatever the acceptable standard is).
4. The Donation Bin shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the Bin may not be accessed by anyone other than those responsible for the collection and pick-up of the contents of the Bin. The Donation Bin shall have a security or safety chute and tamper-proof lock to prevent or deter intrusion and vandalism.
5. During all times the Donation Bin is in place and in use, the Bin shall be maintained in a condition which will protect the contents from being displaced and / or causing litter on public or a private premises or creating dust, offensive odors, or other health hazards. At all times the Donation Bin shall, when necessary, be provided with adequate restraints to prevent inadvertent movement from its original location and protected from high winds or severe weather conditions. There shall be no defect or faulty design in the Donation Bin which might create a hazard to the general public, interfere with its operation, or inhibit the purpose which it is to be used. NO OVERFLOW of any material shall be permitted from the Donation Bin, nor shall any accumulation of any material next to the Donation Bin.
6. No Donation Bin shall be used to store solid waste, recyclable materials, business inventory, commercial goods for sale, or any illegal or hazardous material. Upon reasonable notice, the Borough may inspect the contents of any Donation Bin at any reasonable time to ensure that it is not being used to store such materials.
7. A Donation Bin shall be located at the placement location specified on this application for a maximum of one (1) year. At the expiration of one (1) year, you may apply for a new permit. The L & I Department shall have 30 days to either approve or deny the renewal from the date of the completed application and payment of renewal fee.

8. **Liability:** The applicant and the owner, lessee, or other person or legal entity in control of the property on which the Donation Bin is placed shall be jointly and severally liable for any violation(s); shall jointly and severally assume all risk of damage, and the Borough shall not be liable for any damage to the Donation Bin when the Borough is plowing snow, performing street cleaning, maintaining the street or other facilities, or performing other public functions; shall be liable to the Borough for any amounts paid or incurred by the Borough consequent from claims, judgments, or settlements, and for all reasonable investigation costs and attorney fees, resulting from the applicant's noncompliance with this Ordinance. The applicant and the owner, lessee, or other person or legal entity in control of the property on which the Donation Bin is placed shall be jointly and severally liable for all damages to Borough property which may occur as a result of the placement or use of the Donation Bin.

A Certificate of Liability Insurance for each Donation Bin of NOT less than Two Hundred Fifty Thousand Dollars (\$250,000.00) must be provided.

9. **Revocation of Permit:** Noncompliance with any of the requirements or provisions set forth in this Ordinance or any material false statement or omission made in connection with the application for a permit shall be grounds for revocation by the Borough of the permit issued pursuant to this Ordinance. The L & I Department has the right to immediately suspend or revoke a Donation Bin Permit if:
- a. A necessary business permit or state registration has been suspended, revoked or cancelled
 - b. Failure to comply with the provisions of this Ordinance, or other provisions of any local, state or other code
 - c. The permittee provided false or misleading information on the application which is material to the approval of the permit
 - d. Upon revocation, the Donation Bin shall be removed within 30 calendar days and if not removed that Borough may remove, store and dispose of the Bin at the permittee's sole cost and expense
 - e. Upon revocation, a permittee shall be prohibited from reapplying for a period of one year
10. **Penalties:** Any person who violates or fails to comply with any provision of this Ordinance shall, upon conviction, be sentenced to pay a fine of not more than Six Hundred Dollars (4600.00) per day, for each day the violation or noncompliance exists, plus costs of prosecution for each such violation along with any attorney's fees incurred by the Pottstown Borough. Each day or portion thereof in which a violation exists shall be considered a separate violation of this Ordinance. Such fine shall be in addition to any other fine which may be imposed under the

provisions of any other ordinances of the Borough, Pennsylvania law, or Federal law. The rights and remedies of the Borough as prescribed by this Ordinance or otherwise by law with respect to the Donation Bin, and the criminal sanctions herein provided, shall be cumulative, and the pursuit of one shall in no way preclude simultaneous or subsequent pursuit of another.

11. Each application shall be accompanied by a refundable deposit fee in the amount of Five Hundred (\$500.00), to be used as a security deposit for each bin, the amount of which may be changed from time to time, by resolution of Borough Council. The escrow deposit fee shall be in addition to any other fee imposed by the Borough pursuant to any other provisions of the Ordinance. The annual permit fee of Fifty Dollars (\$50.00) for any and all person, business, entity, or corporation not otherwise provided for in the paragraph below.

There shall be no annual permit fee for a charitable nonprofit entity or organization that has a tax exempt status under Section 501 C (3) of the Internal Revenue Code, as amended.

Future changes to the annual permit fee shall be made by Resolution of the Pottstown Borough Council from time to time.

The Undersigned represents that, to the best of his/her knowledge and belief, all the above statements are true, correct, complete, and they have read and understood and agree to comply with the above guidelines of this application.

Applicant Name (printed): _____

Applicant Signature: _____

Date: _____

Approved by: _____

(Code Enforcement Officer)

Date: _____

Deposit Fee (refundable):	\$500.00
Permit Fee:	<u>\$ 50.00</u>

Total: \$550.00

PERMIT FEES ARE NON-REFUNDABLE
PERMIT FEES ARE PER DONATION BIN PER YEAR