

CHAPTER 118: LICENSING SECOND-HAND ARTICLES DROP-OFF CONTAINERS

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§ 118.01 DEFINITION.

A *SECOND HAND ARTICLES DROP OFF CONTAINER* is any receptacle, box, or holder used to collect second hand articles. Whenever the words *CONTAINER* or *CONTAINERS* are used herein, they shall mean a *SECOND HAND ARTICLES DROP OFF CONTAINER*. Examples of such containers are the containers placed by Good Will, Amvets, and other non-profit/charitable organizations for the collection of second hand articles. (Ord. 01-09-13-03, passed 7-12-01)

§ 118.02 PROHIBITIONS.

Second hand articles drop off containers are prohibited in all zoning districts except in the “M” Manufacturing Zoning District. (Ord. 01-09-13-03, passed 7-12-01) Penalty, see § 118.99

§ 118.03 LICENSING.

All containers located in the Village must be inspected and licensed by the Village. The inspection shall be conducted annually by the Building Department. The annual fee for such a license and inspection shall be \$250 for the first container owned by the entity and \$50 for each additional container owned by the entity that is located in the Village. (Ord. 01-09-13-03, passed 7-12-01)

§ 118.04 REGULATIONS.

The following regulations shall apply to all such containers:

- (A) No articles shall be permitted to accumulate outside of the container;
- (B) The container must not block any public road or sidewalk;
- (C) The container must not impede motorists’ line of sight;
- (D) No flammable or hazardous materials or perishable items should be placed or kept in said container;
- (E) The container shall be no larger than 60 cubic feet;
- (F) The container shall be anchored to the ground in such a manner that it cannot be easily tipped over;
- (G) The container and the area surrounding it shall be kept clean and free from trash and debris;

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(H) The container shall be kept freshly painted and no rust shall be allowed to show;

(I) The container shall be equipped with a lid and/or doors that automatically close after articles are deposited in the container.

(Ord. 01-09-13-03, passed 7-12-01) Penalty, see § 118.99

§ 118.05 NON-USABLE CONTAINER.

Once a container becomes unusable, or does not pass inspection by the Building Department, it must be immediately removed. If it is not removed within seven days of the Building Department's notice to remove, the Village may remove and dispose of same and charge the licensee its costs of removal and disposal.

(Ord. 01-09-13-03, passed 7-12-01) Penalty, see § 118.99

§ 118.06 APPLICATION FOR LICENSE.

An applicant for a license must submit an application form provided by the Village. The applicant must sign the application. In the event the applicant is a corporation or partnership, it must be signed by the President and secretary of the corporation, if a corporation, and by all the partners if a partnership. All such signatures shall be under oath. The application shall contain, at a minimum, the following information and documents:

(A) Name and principal street address of applicant;

(B) A statement that the applicant is a not-for-profit entity (documentation evidencing same shall be furnished);

(C) A description of where the used articles are sent and the ultimate disposition of same;

(D) Whether the used articles are sold, and if so, an explanation why;

(E) A statement as to how long the entity has been in business;

(F) A color photograph of the proposed container; and

(G) A site plan showing the proposed location of the container.

(H) Shall have permission from property owner
(Ord. 01-09-13-03, passed 7-12-01)

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§ 118.99 PENALTY.

The general penalty provisions of the Village codified ordinances shall be applicable to violations of this chapter. Additionally, the Village shall be entitled to recover all costs and expenses, including its reasonable attorney's fees, that it may incur in enforcing the provisions of this chapter.

(Ord. 01-09-13-03, passed 7-12-01)