

**Ord. #5-2014**  
**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP**  
**OF MOUNT OLIVE, IN THE COUNTY OF MORRIS, STATE OF**  
**NEW JERSEY, REGULATING THE PLACEMENT**  
**AND USE OF CLOTHING DONATION BINS**

**WHEREAS**, clothing donation bins of questionable origin and purpose have been proliferating throughout the Township of Mount Olive;

**WHEREAS**, many clothing donation bins are not regularly collected, overflow and become depositories for discarded items or other uncollected refuse.

**BE IT ORDAINED** by the Township Council of the Township of Mount Olive, in the County of Morris, State of New Jersey that a new Chapter 101 of the Mount Olive Township Code, in Part II, General Legislation, entitled, "Clothing Donation Bins" is created as follows:

**SECTION 1.**

**Definitions**

For the purpose of this chapter only:

**CLOTHING DONATION BIN**

Any receptacle or container made of metal, steel, or any other material designed or intended for the collection and temporary storage of donated clothing or other materials.

**SECTION 2.**

A. Generally. Used clothing donation bins are prohibited in the Township of Mount Olive.

B. Exceptions. Registered nonprofit organizations are permitted to place used clothing bins at the Township of Mount Olive recycling center or at the Township's emergency service locations, such as fire departments and first aid rescue squads located within the Township of Mount Olive in accordance with the following:

(1) The bin(s) shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, parking, and any other requirements that may have been imposed as part of the site plan approval for the premises, and shall be placed on an existing impervious surface.

(2) The 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.

(3) Each bin shall not cover a ground surface area in excess of six feet in depth and eight feet in width, nor be more than six feet in height.

(4) Each bin must be regularly emptied of its contents so that it does not overflow, resulting in used clothing being strewn about the surrounding area.

(5) The following information shall be clearly and conspicuously displayed on the exterior of each charitable clothing bin:

(a) The name and street address (no Post Office Box numbers) of the owner of the bin and of any other entity which may share or profit from any clothing or other donations collected by the bin;

(b) The telephone number at the owner's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected by the bin;

(c) In cases where an entity, other than the owner, may share or profit from any clothing or other donations collected by the bin, written in a clear and easily understandable manner, indicating that clothing or other donations collected by the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the owner

of the bin, and identifying all such entities which may share or profit from such donations; and

(d) A statement indicating the manner in which the owner of the bin anticipates any clothing or other donations collected by the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

C. If an inspection reveals that any used clothing donation bins are not in compliance with this section, enforcement and abatement shall take place. A violation of the terms of this chapter shall be punishable by a fine not to exceed \$500 for the first offense, \$1000 for the second offense and \$2000 for the third and subsequent offenses. Each day that a violation of this chapter continues may be deemed to be a separate offense.

**SECTION 3.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4.** This ordinance may be renumbered for purposes of codification.

TOWNSHIP OF MOUNT OLIVE

---

Joe Nicastro, Council Vice President

ATTEST:

---

Lisa Lashway, Township Clerk