COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 26

Bill No. 72-20

Introduced by Mr. Volke

By the County Council, September 8, 2020

Introduced and first read on September 8, 2020
Public Hearing set for and held on October 5, 2020
Public Hearing on AMENDED bill set for and held on October 19, 2020
Bill Expires on December 12, 2020

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Licenses and Registrations – Unattended Donation Boxes

FOR the purpose of establishing registration requirements for unattended donation boxes in the County; defining certain terms; requiring that unattended donation boxes be registered; requiring a certain fee for registration; adding the requirements for the registration and the renewal of registrations; establishing standards for maintenance of unattended donation boxes; and generally relating to licenses and registrations.

BY adding: §§ 11-17-101 through 11-17-106 to be under the new title “Title 17. Unattended Donation Boxes” Anne Arundel County Code (2005, as amended)

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 11. LICENSES AND REGISTRATIONS

TITLE 17. UNATTENDED DONATION BOXES

11-17-101. Purpose.

THE PURPOSE OF THIS TITLE IS TO PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE BY ESTABLISHING MINIMUM BLIGHT-RELATED PERFORMANCE STANDARDS

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in bold in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
Strikeover indicates matter stricken from bill by amendment.
FOR THE OPERATION AND MAINTENANCE OF UNATTENDED DONATION BOXES IN THE COUNTY.

11-17-102. Definitions.

IN THIS TITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(1) “BLIGHT” MEANS A DETERIORATED CONDITION ON OR AROUND AN UNATTENDED DONATION BOX, AND INCLUDES DONATION COLLECTION OVERFLOW, GRAFFITI, DAMAGED SIGNS, PEELING PAINT, RUST, BROKEN OPERATING MECHANISMS, DUMPED MATERIAL, JUNK, LITTER, GARBAGE, TRASH, DEBRIS, OR OTHER REFUSE MATERIAL.

(2) “OPERATOR” MEANS A PERSON, ENTITY, ASSOCIATION, OR ORGANIZATION WHO PLACES, MAINTAINS, OR OPERATES AN UNATTENDED DONATION BOX.

(3) “PROPERTY OWNER” MEANS THE PERSON, ENTITY, ASSOCIATION OR ORGANIZATION WHO OWNS THE REAL PROPERTY WHERE AN UNATTENDED DONATION BOX IS LOCATED OR IS PROPOSED TO BE LOCATED.

(4) “UNATTENDED DONATION BOX” MEANS AN UNATTENDED DROP-OFF BOX, CONTAINER, RECEPTACLE, OR SIMILAR DEVICE USED FOR SOLICITING AND COLLECTING DONATIONS OF PERSONAL PROPERTY ITEMS.

11-17-103. Registration required.

EXCEPT FOR UNATTENDED DONATION BOXES THAT ARE ENCLOSED WITHIN A STRUCTURE OR ACCESSORY TO A PRINCIPAL USE ON THE PROPERTY, IT IS UNLAWFUL FOR A PROPERTY OWNER OR OPERATOR TO PLACE, OPERATE, MAINTAIN, OR ALLOW AN UNATTENDED DONATION BOX ON REAL PROPERTY WITHOUT A VALID REGISTRATION AS REQUIRED BY THIS TITLE. A SEPARATE REGISTRATION IS REQUIRED FOR EACH UNATTENDED DONATION BOX.

11-17-104. Application; registration.

(A) Application. An application for registration of an unattended donation box shall include:

(1) A signed authorization from the property owner allowing the placement of an unattended donation box on a property;

(2) The name, address, email, website, if available, and telephone number of the unattended donation box operator and property owner, with recording capability, of the operator of the unattended donation box; AND

(3) A vicinity map showing the proposed or actual location of the unattended donation box on the property; AND

(4) Proof of the operator’s 501(C)(3) non-profit status, if applicable.

(B) Registration. Upon the filing of a complete application by the applicant and approval of the location of an unattended donation box by the department, the department shall register the unattended donation box.

(C) Fee. An application for registration shall be accompanied by a registration fee in the amount of $40.00 unless the unattended donation box
OPERATOR IS A NON-PROFIT ORGANIZATION EXEMPT FROM TAXATION UNDER 501(C)(3).

11-17-105. Expiration; renewal.

(A) Expiration. AN UNATTENDED DONATION BOX REGISTRATION EXPRESSES TWO YEARS AFTER THE DATE OF ISSUANCE.

(B) Renewal. AN UNATTENDED DONATION BOX REGISTRATION MAY NOT ACCEPT THE RENEWAL IF THERE ARE OPEN CITATIONS, UNPAID FINES, OR UNRESOLVED VIOLATIONS OR COMPLAINTS RELATING TO THE UNATTENDED DONATION BOX.

11-17-106. Maintenance.

(A) Blight. NO BLIGHT SHALL BE ON, OR AROUND, OR WITHIN 20 FEET OF AN UNATTENDED DONATION BOX.

(B) Condition of unattended donation boxes. AN UNATTENDED DONATION BOX SHALL BE MAINTAINED IN GOOD WORKING ORDER AND IN GOOD CONDITION.

(C) Servicing. AN UNATTENDED DONATION BOX SHALL BE SERVICED NOT LESS THAN WEEKLY BETWEEN 7:00 A.M. AND 7:00 P.M. ON WEEKDAYS AND 10:00 A.M. AND 6:00 P.M. ON WEEKENDS. SERVICING INCLUDES THE REMOVAL OF COLLECTED DONATED MATERIAL IN OR AROUND THE UNATTENDED DONATION BOX AND THE REMOVAL OF COLLECTED DONATED MATERIAL IN OR AROUND THE UNATTENDED DONATION BOX.

(D) Contact information. AN UNATTENDED DONATION BOX SHALL CONTAIN VISIBLE CONTACT INFORMATION FOR THE OPERATOR, INCLUDING THE OPERATOR’S TELEPHONE NUMBER WITH RECORDING CAPABILITY.

SECTION 2. And be it further enacted, That this Ordinance shall take effect 45 days from the date it becomes law.

READ AND PASSED this 19th day of October, 2020

AMENDMENTS ADOPTED: October 5, 2020

By Order:

JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 21st day of October, 2020

JoAnne Gray
Administrative Officer
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APPROVED AND ENACTED this 22nd day of October, 2020

Stuart Pittman
County Executive

EFFECTIVE DATE: December 6, 2020

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
OF BILL NO. 72-20. THE ORIGINAL OF WHICH IS RETAINED IN
THE FILES OF THE COUNTY COUNCIL.

JoAnne Gray
Administrative Officer