

COMMITTEE OF THE WHOLE - OCTOBER 19, 2009

CHARITY CLOTHING DROP BOXES - INFORMATION

Recommendation

The Commissioner of Legal and Administrative Services and City Solicitor, the Director of Enforcement Services, and the Manager of Special Projects, Licensing and Permits, recommend:

1. That this report be received for information purposes.

Contribution to Sustainability

Not applicable.

Economic Impact

Not applicable.

Communications Plan

Not applicable.

Purpose

This report is to provide information relating to the licensing and enforcement activities related to charity clothing drop boxes.

Background - Analysis and Options

At its meeting of October 27, 2008, Council enacted By-law 262-2008, a by-law to amend Licensing By-law Number 315-2005. Within the amending By-Law were new requirements surrounding the placement and licensing of Charity Clothing Boxes.

A synopsis of the requirements are:

- Every owner of property on which a clothing donation drop box is used or located shall ensure that the clothing donation drop box is clean, rust free, in good repair, and free of graffiti.
- Every owner of property on which a clothing donation drop box is used or located shall ensure that all areas immediately adjacent to the clothing drop box are clean and free of litter, refuse and debris.
- Only organizations registered as a Charity under the federal *Income Tax Act*, R.S.C. 1985, c. 1, as amended, are permitted to make application for a license to provide, place, maintain or secure a clothing donation drop box on private property within the City.
- A clothing donation drop box shall be located within designated areas and subject to compliance with the provisions of this By-law.
- No Clothing Donation box shall be placed:
 - On any street or property owned or maintained by the City;

- On the frontage of any property zoned residential; or
- Within a parking space or 1 meter thereof;
- Clothing donation boxes shall only be placed:
 - On private property in a common area, grouped together and approved by and to the satisfaction of the City;
 - Set back 1m from all property lines, so as not to restrict sight lines from nearby driveways or pathways.
- Only the following information and identification of the registered Charity shall be permitted on any clothing donation drop box:
 - The name of the Charity in a conspicuous place on the clothing donation drop box, in lettering no smaller than 100 millimetres x 75 millimetres, and of a contrasting colour;
 - A notice on the clothing drop box to indicate that all donated articles must fit into donation box, with a prohibition on items such as paint, garbage, soiled rags, propane tanks or any like items that may create a safety hazard;
 - A pick-up schedule of donations between 9 a.m. and 9 p.m. so as to ensure there is not an overflow and accumulation of goods left outside the drop box which is unsightly, and to minimize pilferage of goods.

In the event that there is non-compliance, enforcement staff issue notices to comply followed by charges for non-compliance. The City is also authorized to impound the non-conforming boxes should compliance not be achieved.

Communications Undertaken

A public consultation meeting to discuss amendments to the comprehensive licensing by-law took place on August 20, 2008. This meeting invited public input on the introduction of licensing for clothing drop boxes.

Letters were sent to all known charitable organizations that had drop boxes situated in Vaughan at the time, inviting them to participate in the presentation regarding clothing drop boxes. One industry representative appeared, Steps Society for Permanent Recovery. A presentation was given by staff outlining the recommendations for licensing of the charitable boxes. The representative was extremely supportive of the recommendations and the direction that the City was taking as there were a great number of such boxes out in the municipality that were not charitable in nature but operated solely for profitable purposes.

Action Taken To Date

There are currently three organizations licensed at 8 locations throughout the City. One organization is under application for two locations. This application is pending as we are awaiting additional information. We have not had any inquiries from property owners nor have we refused any applications to date.

Licensed locations (boxes) are issued a Vaughan sticker that coincides with the license application file number issued to the organization. This identifies to Enforcement Services that the box location is licensed.

On December 4, 2008 Enforcement Services began conducting inspections to identify the locations of drop boxes within the City. The gathering of information relating to the owners of the boxes was very difficult, as most did not have the required information posted and the property owners had no data on the owners.

In March 2009 letters were sent to all property owners that had boxes on site, and to those box owners that were able to be identified. At the time of the letters being sent out, staff had identified 69 clothing boxes on 47 properties. The letter gave the recipients 14 days to comply with the provisions of the By-law. As a result of receiving the letter, some property owners contacted the City. Many property owners advised that they were unaware of the charity drop boxes being placed on their sites. Some property owners took steps to remove the boxes from their sites.

As a result of re-inspections being conducted over the past 6-8 weeks, 13 charges have been laid for violating the provisions of the Licensing By-law, as they apply to charity drop boxes. Five charges were laid against property owners for not keeping the area around the boxes clear of litter, refuse, or debris; and 8 charges against the charity box owners for failing to obtain a license.

At this time, no charity boxes have been impounded.

Next Steps

Enforcement Services staff will continue to conduct inspections as charity drop boxes are located. New sites and boxes will receive a 14-day Notice to Comply. Should compliance not be forthcoming, staff will take the appropriate action to encourage compliance.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the Vaughan Vision as it speaks to Service Delivery and Community Safety.

Regional Implications

Not applicable.

Conclusion

Charity Drop Boxes are required to be licensed by the City of Vaughan, and the compliance rate currently is low. Enforcement Services has, and will continue to enforce the provisions of the Licensing By-law in an effort to encourage an improved level of compliance.

Attachments

None

Report prepared by:

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Respectfully submitted,

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City Solicitor

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Director of Enforcement Services

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