



ADMINISTRATIVE REPORT

Report Date: May 14, 2019
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Meeting Date: May 28, 2019

TO: Vancouver City Council
FROM: Chief Licence Inspector
SUBJECT: Regulating Clothing Donation Bins

RECOMMENDATION

- A. THAT Council approve, in principle, amendments to the License By-law No. 4450 regarding Clothing Donation Bin Regulations as generally set out in Appendix A.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment amendments to the License By-law No. 4450 as generally set out in Appendix A.

REPORT SUMMARY

The report discusses regulatory approaches to clothing donation bins on private and public property. After conducting a jurisdictional scan of other municipal regulatory frameworks for clothing donation bins, researching safety standards and considerations for clothing donation bins, and acknowledging the role of clothing donation bins in meeting the City's Zero Waste goals, staff recommend that Council approve the proposed License By-law amendments to allow clothing donation bins on private property and City-owned lands, with means to address safety concerns and achieve waste management goals. The proposed regulations would require clothing donation bin operators to obtain a business licence, with conditions including a list of the bin location(s), and written approval of a professional engineer that the bin design is safe. The proposed regulations will support the safe and environmentally responsible operation of clothing donation bins in Vancouver.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

On January 15th, 2019 Council passed the following motion:

- A. THAT Council direct staff to immediately remove all remaining bins on City property in the interest of public safety until such time as they can be replaced, retrofitted or made safe, with consideration given to bin designs that also avoid strewing of refuse.
- B. THAT Council direct staff to immediately encourage and request the removal or sealing of any remaining donation bins located on private property in the City of Vancouver in the interest of public safety within the City's legal ability to do so until they can be replaced, retrofitted or made safe, with consideration given to bin designs that also avoid strewing of refuse.

FURTHER THAT, if necessary, Council direct staff to pursue necessary and lawful actions to require and ensure expedited removal of any remaining bins on private land that staff deem to be a high risk for life and safety issues.
- C. THAT Council direct staff to report back on options at the City's disposal such as but not limited to by-law changes to prohibit donations bins on private land.
- D. THAT staff explore opportunities to consider usage or permitting of new safe designs that may come from industry, non-profit or academic initiatives such as but not limited to the UBC Okanagan School of Engineering donation bin design initiative, recognizing that such bins do provide a valuable source of fundraising for charitable and non-profit organizations.
- E. THAT staff partner with charitable and non-profit organizations currently involved in collection of these items, such as and including Vancouver Fire Charities, to find long term solutions, including but not limited to centralized drop-off, for these organizations to continue collecting used textiles as a fundraising source and as a means of assisting the City in diverting these materials from landfills.
- F. THAT staff explore and report back on the opportunity, in partnership with charitable and non-profit organizations, for a pilot project for the placement of safe bins in strata and multi-unit residential buildings.
- G. THAT staff explore and report back on the opportunity for recycling and disaggregation of textiles as part of the Zero Waste 2040 strategy.
- H. THAT the Mayor write to Metro Vancouver on behalf of Council to request that Metro Vancouver encourage its member municipalities to also remove or seal their unsafe donation bins
- I. THAT the Mayor bring forward a resolution to the 2019 Lower Mainland Local Government Management Association of BC and 2019 Union of BC Municipalities conferences requesting support for a ban on donation bins until safe alternatives are available.

- J. THAT Council request the Mayor to write to the Minister of Social Services and Poverty Reduction urging him to increase welfare rates to the poverty line so people aren't so poor that they have to risk their lives to get clothes out of donation bins and asking him to consider ways to increase access for people living in poverty to clothing, housing, programs and services.
- K. THAT staff work with Metro Vancouver Zero Waste counterparts to eliminate unsafe clothing bins from the recovery stream in the 2019 Textiles Campaign expected to launch in Q1.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

Background/Context

Historically, clothing donation bins have been placed on private and public property in the city of Vancouver. Clothing donation bins create financial benefits for a variety of businesses including charitable organizations that collect clothing donations and environmental benefits by diverting textiles from landfill and incinerator. However, public safety concerns have recently emerged due to the deaths of five people who were trapped in clothing donation bins in the Lower Mainland since 2015¹. In addition to these tragic incidents, at least three other deaths in clothing donation bins were reported in other provinces (Ontario and Alberta).²

In January 2019, Council directed staff to remove all donation bins from City property and to request removal or sealing of all donation bins on private property until they can be replaced, retrofitted or otherwise made safe. Other Metro Vancouver municipalities have also taken a similar approach.³

The approach to managing clothing donation bins varies among Canadian municipalities. Several municipalities in Ontario and two in British Columbia have regulations in place to allow clothing donation bins under licensing conditions. However, safety considerations (with regard to persons being trapped inside) have not been specifically addressed by any of the reviewed municipalities, with the exception of Delta.

In order to address public safety issues associated with clothing donation bins and ensure that they operate in alignment with the City's Zero Waste goals, the objectives of this report are as follows:

¹ BC Coroner's Service correspondence, April 4, 2019

² Dangerfield, K. (2019) "Clothing donation bin deaths prompt demand for action." *The Canadian Press*, January 8, 2019. <https://globalnews.ca/news/4825560/clothing-donation-bin-death-canada/>

³ City of Delta Council [Order](#), January 15, 2019.

District of West Vancouver [Request](#), January 10, 2019.

Crawford, T. "[Burnaby asks companies to remove clothing donation bins](#)", Vancouver Sun, January 8, 2019.

City of Richmond [Order](#), January 9, 2019.

- To update Council on the regulatory approaches to clothing donation bins in other jurisdictions and address the lack of current regulation of clothing donation bin operations in the city of Vancouver, with specific consideration given to the public safety risks;
- To make recommendations on how to regulate clothing donation bins, achieving the public policy goals of protecting public safety while providing an opportunity for the public to donate clothing for reuse and recycling in alignment with the Zero Waste 2040 strategic goals, and existing City regulatory frameworks.

The report is specifically focused on clothing donation bins and does not include other types of donation bins such as those for books or bottles. These bins are not seen to pose the same public safety risk, due to their size and inability to become trapped inside.

The Vancouver Charter authorizes the City to regulate clothing donation bins on public and private property.

Strategic Analysis

Jurisdictional scan

The approach to regulating clothing donations bins in other municipalities varies significantly. Only a few municipalities have introduced by-laws to regulate donation bins in Canada including Toronto, Scugog, Brantford, Newmarket, Markham, Ottawa in Ontario, and Delta and Richmond in British Columbia. These municipalities enacted by-laws or amended existing by-laws to outline specific requirements for the placement, information display and maintenance of clothing donation bins.

Most municipalities reviewed that have specific clothing donation bin regulations prohibit bins on public property and regulate on private property through a Licensing By-law or stand-alone Donation Bin By-law. In Ontario, the municipalities that regulate clothing donation bins generally prohibit their placement in residential zones and establish minimum distancing from property lines. With the exception of Ottawa, the regulations of these municipalities require a clothing donation bin operator to obtain a business licence and/or permit.

The primary focus of the regulations reviewed was on maintenance, signage, and location of clothing donation bins. With the exception of the City of Delta, none of the reviewed municipal by-laws addressed specific safety concerns regarding persons being trapped and/or injured trying to access the contents of the bin. Recently, the City of Delta was presented with alternative bin design used by Green Inspiration BC and Diabetes Canada which was tested and approved as safe. Appendix B provides a detailed table summarizing regulation provisions in the municipalities that regulate donation bins.

Following recent deaths in clothing donation bins in BC and Ontario in December 2018 and January 2019⁴, the Cities of Burnaby, Pitt Meadows, Richmond, Delta and the District of West Vancouver had operators remove or otherwise make unavailable all clothing donation bins

⁴ The Canadian Press, "[‘Death Traps’: Clothing donation bins under scrutiny](#)", January 3, 2019. CBC News, "[Homeless woman found in clothing bin died for 'lots of immediate reasons,' friend says](#)", January 11, 2019.

within their jurisdiction. In March 2019, the City of Surrey accepted staff recommendations that no additional oversight be introduced because “donation bins do not pose a safety risk to the public if used as intended (and they pose a low risk otherwise)”.⁵

Current State of Clothing Donation Bins on Private and Public Property

In response to the fatal incident in July 2018 in the clothing donation bin near West Point Grey Community Centre, Engineering Services contacted bin operators and asked them to remove donation bins from street right-of-way (public land) by November 30, 2018. Clothing donation bin operators complied with the City’s request to remove them from street right-of-way, which includes boulevards and sidewalks, with all donation bins removed as of April 2019.

In January 2019, Council further directed staff to request bin operators to remove clothing donation bins from private property and City-owned lands (this includes facilities such as libraries and fire halls). As of March 18, there were nine clothing donation bins remaining on city-owned land (eight of which are located at the Zero Waste Centre and one at another city-owned location) and City staff is aware of 18 bins remaining on private land. As the City currently does not regulate clothing donation bins, staff do not have full information on the number and location of clothing donation bins on private property.

Following the City’s request to remove clothing donation bins, it has received written input from the following operators:

- Developmental Disabilities Association sent a letter, dated January 21, 2019 stating that they operate “open chute” bins and there has never been a fatality in an open chute bin. The letter emphasizes the importance of textile recycling programs for society and the organization.
- Green Inspiration BC contacted the City of Vancouver on January 22, 2019 to communicate their commitment to innovation and safety of their clothing donation bins’ design, and state that their design prevents anyone from becoming trapped within the door/chute mechanism.
- Diabetes Canada responded that all of their clothing donation bins have been retrofitted by removing all the pinch points and entry constraints, eliminating the possibility of someone being stuck or trapped. Diabetes Canada emphasized the importance of clothing bin donations as a source of its revenue.

In addition, input was received from related stakeholders:

- Discover Books e-mailed, stating that they do not operate clothing donation bins and their bins do not have an opening large enough for any person to enter, thus not posing any risk to public safety. Public safety concerns were only relevant to the clothing donation bins; accordingly, book donation bins are outside the scope of this review.

Charitable and non-profit organizations operating clothing donation bins have indicated that they rely heavily on the revenue collected from the resale/reuse of donated clothing. In particular, Diabetes Canada issued a statement that it collects about 25 percent of its revenue from

⁵ [“Donation Bin Update”](#), City of Surrey Corporate Report, March 11, 2019.

donation bins and home pick up.⁶ Similarly, Big Brothers of Greater Vancouver estimated lost revenue of approximately \$500,000 following removal of its bins in the province.⁷

Safety

Staff reviewed existing safety regulations to determine whether any existing industry safety standards could be applied to clothing donation bins. Staff concluded that there are currently no industry-wide safety standards governing the design of donation bin openings to prevent a person from being trapped within. The following summarizes the review findings:

- Canadian Safety Association (CSA) currently does not have standards developed for clothing donation bins. CSA confirmed that it is possible, if approached by the industry, to develop safety standards through a collaborative approach involving industry experts. This process on average takes approximately 15 months, depending on the product.
- *Canada Consumer Product Safety Act* does not currently regulate clothing donation bins. The *Act* requires industry to report to Health Canada and to the product's supplier incidents concerning consumer product safety.
- Standards Council of Canada does not have safety standards specific to clothing donation bins.
- Technical Safety BC regulates technical equipment; therefore, clothing donation bins do not fall under their scope.

Nonetheless, there is ongoing work by current clothing donation bin operators, manufacturers as well as UBC and York University engineering departments to address the safety design concerns of clothing donation bins. The UBC Okanagan School of Engineering has developed several alternative donation bin designs, but the most recent status update provided indicated that funding is needed to build and test the prototypes. Further testing and professional verification is also required before the new design prototypes can be determined safe. A combination of safer design options and industry safety standards would increase the safety of clothing donation bins. It will require operators to explore and pursue these opportunities.

Long-Term Solutions to Recycling Textiles under the Zero Waste 2040 Strategic Plan

Development of an apparel waste reduction strategy is an action identified in the City's Zero Waste 2040 strategic plan. According to Metro Vancouver's 2016 waste composition study, textiles make up about 4% of regional solid waste disposed to landfill or incinerator⁸. Work is ongoing with various used apparel stakeholders to determine what role the City can play in reducing textiles waste and managing materials in a way that is safe, economically feasible and aligned with community social values.

While this work is underway, there are many existing options to divert textiles from disposal:

- Drop off at the City's Zero Waste Centre on Yukon Ave at Kent St.;
- Six charities currently offer pick-up programs directly from residents;

⁶ Diabetes Canada, [Media Release](#), January 21, 2019.

⁷ Big Brothers of Greater Vancouver, [Media Release](#), January 24, 2019.

⁸ Metro Vancouver, 2016 Waste Composition Monitoring Program.

<http://www.metrovancouver.org/services/solid-waste/SolidWastePublications/2016WasteCompositionMonitoringProgram.pdf>

- Drop off at thrift stores throughout Vancouver, which are accessible by public transport;
- City of Vancouver Zero Waste Drop-off Events, held at various locations throughout the year (10 events will be held in 2019).
- Retail collection points: H&M accepts clothing and textiles from any brand in any condition;
- Clothing providers: organizations that collect clothing and distribute it for free to residents in need (e.g. shelters and community centres); residents should call first to confirm what items the organization will accept;
- Encorp Return-It launched a new pilot program on March 1, 2019 to provide residents with another convenient option to drop off textiles and test the feasibility of using the Return-It depot network to help collect textiles;
- SPCA Vancouver branch also accepts certain types of textile, including towels, sheets and bedding for animals.
- The City is also piloting Repair Workshops in 2019 which are focused on teaching participants how to repair various items, including clothing and other household textiles, to make them last longer.

The City's Waste Wizard tool (accessed on the City's website or VanConnect App) presents this list of options to residents, organized by neighbourhood, for them to easily identify where to drop off clothing and other textiles. Many of these locations accept textiles in good condition as well as worn-out or damaged items.

According to a January 2019 research poll conducted by Research Co., B.C. residents are supportive of using centralized drop-off centres for textiles. There is considerable public support for this option with 73% of surveyed British Columbians saying they would take clothes to a specific location for donation.⁹

There are long standing relationships with charitable organizations through involvement at both the City's Zero Waste Centre and the Zero Waste Reuse and Recycling Drop-off events. A number of charities offer their own centralized drop off locations and some offer direct pick up from residents. Resolving the concerns around donation bin safety as recommended in this report will allow those charities to continue collecting and using textiles as fundraising opportunities and support diversion of textiles from landfill or incinerator.

Regional Approach to Addressing Safety and Poverty Concerns

On January 15, 2019, Council requested that the Mayor write to Metro Vancouver on behalf of Council to request that Metro Vancouver encourage its member municipalities to also remove or seal their unsafe clothing donation bins. The letter was sent to Metro Vancouver on February 6, 2019. No response has been received.

Council further directed the Mayor to bring forward a resolution to the 2019 Lower Mainland Local Government Management Association of BC and 2019 Union of BC Municipalities conferences requesting support for a ban on donation bins until safe alternatives are available. This resolution is planned to be submitted directly to the UBCM in advance of the June 30, 2019 deadline.

⁹ Research Co. (2019) <https://researchco.ca/polls/>

Further, Council requested the Mayor to write to the Minister of Social Development and Poverty Reduction urging the Minister to increase welfare rates and consider ways to increase access for people living in poverty to clothing, housing, programs and services. On February 8, 2019, the Mayor sent two letters to the Minister of Social Development and Poverty Reduction:

- letter requesting an increase in welfare rates;
- letter providing support for provincial poverty reduction strategy and outlining steps the City has taken and intends on taking to address poverty issues in the City.

The Mayor's office received a response from the Province outlining steps the Province is taking to address affordability and reduce poverty in the province.

Placement of Clothing Donation Bins in Multi-Unit and Strata Residential Buildings

Several donation bin operators including Green Inspiration BC, Developmental Disabilities Associated and Big Brothers Canada have been operating clothing donation bins in multi-unit residential buildings. These organizations expressed support for continuing to work with the property management companies and strata councils to increase the number of clothing donation bins placed in their buildings.

Metro Vancouver Zero Waste Program: 2019 Textiles Campaign

Staff reached out to Metro Vancouver's Solid Waste Services to convey Council's direction to encourage the removal or sealing of clothing donation bins on private property in the interest of public safety. In response, Metro Vancouver has removed all listings of clothing donation bins from its Metro Recycles web page and from its "Think Thrice About Your Clothes" textiles waste reduction campaign. Metro Vancouver raised awareness of the life and safety risk posed by clothing donation bins to municipal staff at the Regional Engineering Advisory Solid Waste Subcommittee on January 18, 2019. Staff from member municipalities advised they are aware of the issues and will look into what actions are appropriate to take in their communities. Some member municipalities reported they are already working with bin operators to remove bins or remove anti-theft measures that contribute to unsafe bins.

Clothing Donation Bin Operators – Engagement and Consultation

Staff reached out to the six primary clothing donation bin operators to discuss proposed regulations and gather their feedback. They included Diabetes Canada, BC Children's Hospital Foundation, Green Inspiration BC, Big Brothers Big Sisters Canada, Developmental Disabilities Association, and Vancouver Firefighters Charities. Staff contacted a representative from each clothing donation bin operator to outline the proposed regulations and to gather their feedback (questions posed are in Appendix C). All clothing donation bin operators contacted expressed their general support for the proposed changes, with half of them commenting that they already comply with most of the proposed regulatory provisions. All clothing donation bin operators also informed staff that they have retrofitted their bins to prevent a person being trapped in the chute mechanism or are in the process of working with manufacturing companies to develop a safe design.

As a part of their feedback, non-profit and charitable organizations have indicated that they strongly prefer only charitable organizations being allowed to operate the bins, or to have a

preferred business licence fee rate to support their operation in the City. They emphasized their important role in giving back to the local community, and good reputation when it comes to operation of clothing donation bins.

Clothing donation bin operators also indicated that they already have clothing donation bins installed in strata and multi-unit residential buildings and would support expanding this initiative to more locations. However, one operator commented on difficulties in access to and support from strata councils and property management companies.

Regulatory Options

Option A – Ban Clothing Donation Bin on all Private and Public Property (Not Recommended)

This option would ban all clothing donation bins on private and public property, while allowing donation of textiles in centralized drop-off locations or through a pre-arranged pick up of donated clothing. If adopted, this option will have the following impacts:

- Banning clothing donation bins addresses the public safety concerns associated with donation bins.
- Banning clothing donation bins will address the issue of discarded and accumulated refuse around the bins as well as overflowing bins when not emptied regularly.
- Alternative solutions such as drop-off of recyclable materials at specified, centralized locations or through pre-arranged scheduled pick up eliminates all concerns regarding the danger of unauthorized entry into clothing donation bins. Central drop-off locations are able to control access, hours and type of recycling material accepted.
- Banning clothing donation bins will significantly impact revenue collection by charitable organizations operating the bins.
- As clothing donation bins provide an accessible and widely available option for donating textiles for reuse and recycling, adoption of this option may lead to an increase of textiles going to landfill or incinerator.

Staff do not recommend this option.

Option B – Regulation of Clothing Donation Bins on Private and City-Owned Land (Recommended):

This option recommends allowing clothing donation bins on private property and City-owned land, and requiring the clothing donation bin operator to obtain a business licence pursuant to the Licence By-law No. 4450. Business licence conditions, as outlined below, will support the operation of clothing donation bins in the City in alignment with the public safety objectives and Zero Waste goals.

Staff recommend the following business licence conditions for clothing donation bin operators:

- Clothing donation bin operators must possess a valid municipal business licence. Staff recommends an annual licence fee of \$151, which is based on the existing general business licence office category in the Licence By-law No. 4450. There will be no additional fee per bin.

- Clothing donation bins may only be placed on private property and land owned by the City (this would include facilities such as libraries and fire halls). The operator is responsible for obtaining approval for bin placement by the private property owner or from the City if placed on City-owned lands.
- Clothing donation bins may not be placed on street right-of-way, including sidewalks and boulevards.
- All clothing donation bin operators must provide a written submission from a professional engineer registered in good standing with Engineers and Geoscientists British Columbia confirming that the clothing donation bin is designed to prohibit unauthorized entry, will allow a person to exit without physical harm, and will not otherwise create harm to an individual.
- The operator must provide a list of the locations of their clothing donation bins. If donation bins are moved, added or removed, the City must be notified.
- Clothing donation bins must display licence holder's contact information, pick up schedule and signage indicating that clothes, shoes and linens in any condition may be donated, provided they are clean and dry, and may only identify a name and/or logo of charitable partners named on the application.
- The operator must maintain the clothing donation bins on a regular basis to avoid accumulation of refuse or illegal dumping around the bins. If the area near the bin is repeatedly untidy, they may be found in violation of their business licence conditions and may be subject to enforcement.
- All operators that place clothing donation bins on City-owned lands are required to have general liability insurance for \$2,000,000 with the City of Vancouver listed as co-insured.

The recommended by-law provisions provide the following benefits:

- A regulatory framework will allow the City to regulate clothing donation bins on private property and City-owned lands, and to address the concerns related to public safety and untidy operations.
- Using a Business Licence to regulate allows the City to apply escalating enforcement if necessary if the operator is non-compliant with licence conditions. This may include audits, licence orders, suspension and recommendation to Council for revocation, removing their ability to operate any clothing donation bins within the City.
- In the absence of an existing industry safety standard, a professional engineer is required to confirm the clothing donation bin is safe, thereby addressing the public safety concerns.
- Allowing and regulating clothing donation bins will support the goals of the Zero Waste 2040 strategic plan by providing residents with a convenient option for diverting textiles from landfill or incinerator.
- The potential accumulation of refuse or disposal of non-textile items around the bins remains a potential issue. This concern can be addressed by including a specific provision regarding maintenance of the donation bins for the owners/operators.

Implications/Related Issues/Risk***Financial***

If approved by Council, the business licence revenue generated will depend on the number of applicants. There are no other financial implications.

Human Resources/Labour Relations

The proposed amendments are not expected to significantly impact human resources as the workload associated with processing licence applications will be minimal due to low number of operators.

Business licensing will be managed with our existing licence team resources. Compliance and enforcement will be addressed on a complaint basis, with existing Property Use Inspection team resources investigating and enforcing as needed.

Environmental

There are environmental benefits to allowing clothing donation bins as they help to divert textiles from landfill or incinerator, which is aligned with the goals of the Zero Waste 2040 strategic plan.

Legal

Amendments will be required to the Licence By-law 4450 to regulate clothing donation bins, generally as outlined in Appendix A.

CONCLUSION

This report provided a review of clothing donation bin regulations, stakeholder perspectives, analysis on safety designs for clothing donation bins, and options to regulate clothing donation bins, as directed by Council. Staff have proposed regulations to allow clothing donation bins on private property and City-owned lands, subject to a business licence and conditions as outlined in the proposed by-law amendments.

* * * * *

**A By-law to amend the License By-law No. 4450
Regarding Donation Bin Regulations**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the License By-law.
2. Council adds to section 2 the following definitions in correct alphabetical order:

““Bin Owner” means the person, charity, trust, partnership or organization that owns or operates a donation bin.”;

““City” means City of Vancouver.”;

““City land” means land for which the City is the registered owner in fee simple or leasehold, but does not include any street.”; and

““Donation Bin” means any receptacle designed and used for the purpose of collecting clothing, shoes or linens from the public for resale or distribution.”

3. Council inserts as a new section 13.4, the following:

“DONATION BIN

- 13.4
- (1) No person carrying on a business shall place, install or maintain a donation bin on any City land or private land, except in accordance with this by-law.
 - (2) No person shall place, install or maintain a donation bin on any street.
 - (3) Every license holder must comply with all terms and conditions of this by-law and any license.
 - (4) Every applicant for a donation bin license must:
 - (a) provide to the Chief Licence Inspector a completed application containing such information as required by the Chief Licence Inspector from time to time, including but not limited to:
 - (i) the applicant’s name and contact information;
 - (ii) a photograph or pictorial depiction and written description of the donation bin;
 - (iii) a detailed plan showing the proposed location of the donation bin;
 - (iv) whether the applicant is a registered charity, a not-for-profit corporation, or a for-profit corporation, and proof of such status;
 - (v) whether the applicant is party to any agreements with a registered charity, society or other organization that relate to

- revenue sharing or the operation of the donation bin;
 - (vi) contact information of any registered charity, society or other organization identified under (4)(a)(v);
 - (vii) certificate of insurance, in a form and on terms acceptable to the Director of Legal Services, to provide \$2,000,000 general liability insurance and naming the City as an additional insured;
 - (viii) a release and indemnity by the applicant in favour of the City, in a form and on terms acceptable to the Director of Legal Services;
 - (ix) a certification from a professional engineer, registered or licensed under the Engineers and Geoscientists Act, that the construction, design and operation of the donation bin is safe.

- (5) The Chief Licence Inspector may issue a clothing donation bin operator license to an applicant, if the applicant has:
 - (a) complied with the requirements set-out in subsection (4);
 - (b) is not in breach of any term or condition of this by-law or any current or previous license issued to the applicant by the City; and
 - (c) has paid the license fee.

- (6) A license gives the license holder authority to place, or cause to be placed, a donation bin only at the donation bin location or locations specified in the license, in accordance with the provisions of this by-law and the license.

- (7) A license holder must ensure that every donation bin it owns or operates:
 - (a) is located within the boundaries of the applicable donation bin location(s) specified in their application;
 - (b) is not chained or fastened to any utility apparatus, including any traffic signal, traffic control device, street light, hydro or telephone pole or signpost, fire hydrant, parking meter, bus shelter, telephone booth, post box, benches or trees;
 - (c) displays clear identification information with the license holder's name and contact information in lettering no smaller than 100 millimetres x 75 millimetres and of a contrasting colour to the colour of the donation bin;
 - (d) does not display the name or logo of a registered charity, society or other organization unless the registered charity, society or other organization has been identified in the application submitted under

- (4) and is in good standing;
- (e) displays a legible sign stating “All clothes, shoes and linens may be donated, provided they are clean and dry”;
- (f) displays a clear written or pictorial notice that all donation articles must fit into the donation bin, prohibiting any items to be left outside or around the donation bin on or near the donation bin location, and prohibiting the donation of items that may create a safety hazard, including but not limited to paint, garbage, soiled rags, propane or any other like items;
- (g) displays a donation pick up schedule for the donation bin;
- (h) displays "No Dumping" signage;
- (i) does not display any third party advertising;
- (j) is not placed so to obstruct clear sight triangles, circulation, setbacks, parking and driveways;
- (k) is not placed so as to create safety hazards or to restrict accessibility for pedestrians, motorists and the public accessing the donation bin;
- (l) is professional in appearance and construction;
- (m) Is maintained in a good state of repair, in good working order and free of graffiti;
- (n) is in a clean and tidy condition, free of the overflow of items and litter from the donation bins, and free of items and litter left outside the donation bins within a five (5) metre radius of the donation bins, with all items and litter disposed of using the license holder's own resources and at the license holder's cost and expense;
- (o) will be subject to a regular scheduled pick-up of donated items and emptying of the donation bin, using the license holder's own resources and at the license holder's cost and expense, and in accordance with the schedule displayed on the donation bin. Upon the request of the City, the license holder will conduct additional pick- ups of donated items and emptying of the donation bins, using the license holder's own resources and at the license holder's cost and expense;
- (p) if located on City land, is subject to commercial general liability insurance coverage, naming the City as an additional insured entitled to full coverage, in the amount of Two Million Dollars (\$2,000,000) per occurrence, protecting the City against all claims

for personal injury, death, bodily injury or property damage arising out of the occupying, servicing or operation or the actions of the license holder or any agent of the license holder. The license holder will be responsible for any and all deductible amounts including any claim expenses incurred and policy premium payments. Such insurance shall include on an occurrence basis with respect to third party liability claims for bodily injury, property damage, and personal injury; and

- (q) is named in an up-to-date list, submitted to the Chief Licence Inspector, of the specific locations of all donation bin(s) owned or operated by the license holder.
- (8) The Chief Licence Inspector may impose such other license conditions on a donation bin license including, but not limited to, conditions regarding:
- (a) notifications and notices,
 - (b) safety,
 - (c) health,
 - (d) design requirements,
 - (e) construction requirements,
 - (f) reviews and inspections,
 - (g) maintenance,
 - (h) cleanliness,
 - (i) location, and
 - (j) hours of operation.

Donation Bin Removal or Relocation

- (9) The Chief Licence Inspector may order, at any time and without notice, the temporary or permanent removal or relocation of any donation bin on City land:
- (a) if the Chief Licence Inspector considers the donation bin creates a safety hazard;
 - (b) due to a special event;
 - (c) due to City work on utilities, streets, sidewalks, bus or transit stops or shelters, or any other structures or improvements, or any other construction; or
 - (d) if the donation bin does not comply with any provisions of this by-law, or the license.
- (10) The license holder will permanently remove, or cause to be removed, the donation bin, the donation bin contents, and any related installations from a donation bin location and restore the portion of City land used by the license holder to its former condition within twenty-four (24) hours of the

Donation Bins Jurisdictional Scan							
Municipality	City Property	Private Property	Regulation or By-law	Licence/Permit Requirements	Cost	Other Costs (Where Applicable/Available)	Charity or All
Burnaby	Prohibited	Not regulated	Not Applicable	Not Applicable	Not Applicable	Not Applicable	N/A
Coquitlam	Prohibited	Not regulated	Not Applicable	Not Applicable	Not Applicable	Not Applicable	N/A
Richmond	Charities with Permit allowed	Not regulated	Donation Bin Bylaw NOo9502	Permit	\$109 per bin	Damage deposit \$1,044 per donation bin location (up to \$3,000 per permittee) Bin Removal \$109 Bin Retrieval \$ 215 Bin Disposal \$85.50 Storage fee \$16.50 per bin per day Liability Insurance \$5,000,000	Charity
Surrey	Prohibited	Regulated in Commercial Zone through Business Licence	Business Licence	Business Licence (As Vending Machine)	\$32.25 For Profit \$1.25 Non Profit	Not Available	All
West Vancouver	Road Occupancy Required (Issued by Engineering)	Not regulated	Not Applicable	Not Applicable	Not Applicable	Not Available	Charity
Delta	Prohibited	Regulated by Business Licence Bylaw 6.21 (maintenance;	Business Licence bylaw 6.21	Business Licence	\$110 Licence Fee \$25 Fee per Bin	Not Available	All

		signage; distancing from property line; each location address)					
Toronto	Permitted (not permitted on right-of- ways)	Regulated through Clothing Drop Box Bylaw (criminal check for an applicant; location of each bin; property owner approval letter)	Clothing Drop Box Bylaw	Licence and Permit	\$549.95 Licence Fee (initial); \$232.23 Renewal \$113.52 Location permit for each box	Bin removal \$300 Storage Fee \$15 Bin Disposal \$80	All
Brantford, Ontario	Prohibited	Regulated by Licensing Bylaw (Not allowed in Residential Zone; property owner approval letter; written description and photo/sketch of donation bin; proof of	Schedule A-12, Licensing Bylaw	Business Licence	For Profit \$475.00 New Licence Operator; \$208.00 renewal For Profit \$100 New Location per bin; \$50 renewal Bona Fide Charitable and Non-Profit (one- time) \$100 New Licence Operator; no renewal fee Bona Fide Charitable and Non-Profit \$25 New Location per	Not Available	All

		corporate status; list of locations; located at least 15 meters away from any residential property line; servicing hours between 7 am and 9 pm)			bin; no renewal fee		
Scugog, Ontario	Prohibited	Regulated through Business Licence (Each bin requires BL; not allowed in Residential or Rural Zones; placement distance from highway and residential property; maintenance; authorization from property owner)	Donation Box Bylaw	Business Licence	\$ 250 per Licence per bin	Not Available	Charity

<p>Markham, Ontario</p>	<p>Prohibited</p>	<p>Regulated by Donation Bin Bylaw (Not allowed in Residential or Industrial Zones; maintenance; located at least 1 meter away from property line; one licence per bin)</p>	<p>Licensing Bylaw: Schedule 10 - Clothing Donation Bins</p>	<p>Business Licence</p>	<p>\$260 Annual Licence per bin</p>	<p>Liability Insurance \$2,000,000</p>	<p>Charity</p>
<p>Newmarket, Ontario</p>	<p>Prohibited</p>	<p>Regulated, by Donation Bin Bylaw (allowed only on Institutionalized and Commercial Zones; signage requirements; order and maintenance; inspection; revocation of licence; enforcement and fines)</p>	<p>Donation Bin Bylaw 2016-33</p>	<p>Business Licence</p>	<p>\$200 Annual Fee per bin Charity \$75 per bin</p>	<p>Liability Insurance \$2,000,000 Fines: \$350-\$100,000 first infraction; \$500-\$100,000 subsequent infractions</p>	<p>All</p>

<p>Ottawa, Ontario</p>	<p>Prohibited</p>	<p>Regulated through Clothing Donation Box Bylaw (Not allowed in Residential Zone; signage; location not obstruct traffic; location distance from any property at least 3 meters; maintained in accordance with Property Standards Bylaw)</p>	<p>Clothing Donation Box Bylaw</p>	<p>No permits or licenses, bylaw regulates only conditions of maintenance, zoning of placement, etc.</p>	<p>Not Applicable</p>	<p>Not Available</p>	<p>All</p>
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Clothing Donation Bin Operators – Consultation Questions

- Have you explored any safety measures for your donation bins?
- Based on the information provided to you regarding proposed regulations, do you believe these changes will address public safety concerns? Why or why not?
- How will these changes impact your organization and use of donation bins going forward?
- How acceptable are the City's proposed by-law amendments for donation bins on a scale of 1 to 5? If 1 or 2, please explain why.
 - 1 - Not at all acceptable
 - 2 - Somewhat unacceptable
 - 3 - Neutral
 - 4 - Somewhat acceptable
 - 5 - Completely acceptable
- One measure that is being explored is to place clothing donation bins in multi-unit and strata buildings. Would you be interested in participating in a pilot project to have clothing donation bins be placed in multi-unit and strata buildings?
- Is there anything that you would like to add? Do you have any other feedback or suggestions?