



PLAINSBORO

If you wish to apply for a Donation Bin Permit in the Township of Plainsboro, please be advised of the following:

1. The attached application must be fully completed and returned to the Township Clerk's Office.
2. Submit an application fee of \$25 for each donation bin to the Township Clerk's Office; this fee is non-refundable. Payment by check shall be payable to the Township of Plainsboro.
3. If all the required application information is provided, you will be notified after the review of your application is complete and your permit is ready.
4. All permits are valid for a period of one (1) year from the date of permit approval.
5. All questions regarding the application form and review process should be directed to Ron Yake, Township Planner/Zoning Officer at 609-799-0909, ext. 1503.



PLAINSBORO

Reviewed by Planner/Zoning Officer on _____

Donation Bin Permit Application

New Renewal
(separate application for each bin)

(NOTE: BIN MAY NOT BE PLACED WITHIN 100 YARDS OF ANY LOCATION WHERE FLAMMABLE LIQUIDS ARE STORED OR SOLD.)

PERMIT NO.	DATE/VALID THROUGH	BLOCK(S)	LOT(S)	FEES
				\$ 25.00

SURVEY OR PLOT PLAN ATTACHED SHOWING PROPOSED LOCATION OF DONATION BIN? YES NO

I. APPLICANT SAME AS OWNER

LAST NAME: _____ FIRST NAME: _____

ADDRESS: _____ CITY, STATE, ZIP: _____

PHONE: _____ EMAIL: _____

II. OWNER: If other than applicant, written consent from owner to place a bin on property must be attached.

LAST NAME: _____ FIRST NAME: _____

ADDRESS: _____ CITY, STATE, ZIP: _____

PHONE: _____ EMAIL: _____

CHECK IF WRITTEN CONSENT IS ATTACHED

III. WHO WILL SHARE PROFITS FROM BIN CONTRIBUTIONS AND HOW: (ATTACH SHEET IF NEEDED)

LAST NAME: _____ FIRST NAME: _____

ADDRESS: _____ CITY, STATE, ZIP: _____

PHONE: _____ EMAIL: _____

FORM OF CONTRIBUTION: CLOTHING OTHER _____

LAST NAME: _____ FIRST NAME: _____

ADDRESS: _____ CITY, STATE, ZIP: _____

PHONE: _____ EMAIL: _____

FORM OF CONTRIBUTION: CLOTHING OTHER _____

DESCRIBE HOW DONATION BIN COLLECTIONS WILL BE USED, SOLD OR DISTRIBUTED:

METHOD BY WHICH PROCEEDS OF BIN COLLECTIONS WILL BE ALLOCATED OR SPENT:

THIS PERMIT APPROVAL ALLOWS THE APPLICANT TO LOCATE A DONATION BIN AT A SPECIFIC LOCATION FOR CALENDAR YEAR _____.

REQUIRED INFORMATION MUST BE DISPLAYED CLEARLY AND CONSPICUOUSLY ON EXTERIOR OF DONATION CLOTHING BIN.

I hereby certify that the actual/proposed charitable bin location is authorized by the owner of record, or I have been authorized by the owner to make this application as an authorized agent. I agree to conform to all application laws of this jurisdiction.

SIGNATURE

DATE

Owners/Users Must Clearly and Conspicuously Display Following Permit Information on Exterior of each Charitable Clothing Bin:

1. Permit number and date of expiration.
2. Name and address of bona fide registered office of bin and any other entity which may share or profit from donations collected via the bin.
3. Telephone number of person'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 bin (answering machine or service unrelated to person does not constitute a bona fide office).
4. Identify all entities which may share or profit from the collections in the donation bins.
5. Post a statement indicating how the clothing or other donations collected will be used, sold or distributed. Indicate the method by which proceeds of collected donations will be allocated or spent.



PLAINSBORO

CONSENT OF PROPERTY OWNER

I hereby grant permission for _____ to place a
(contact person and organization)

Donation Bin located at _____,
(location of donation bin)

Block _____, Lot _____, in the Township of Plainsboro, New Jersey 08536.

Signature of Applicant

Date

Signature of Property Owner

Date

Contact Information for Property Owner where Donation Bin is located:

Address: _____

Phone: _____

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE CODE OF THE TOWNSHIP OF PLAINSBORO
TO REGULATE DONATION BINS**

WHEREAS, the legislature adopted Chapter 209 of the laws of 2007, which became effective January 1, 2009 and which regulate donation bins by requiring the charity or other persons operating the bin to inform donors of the beneficiaries of the donated items; and

WHEREAS, the law requires municipal registration of donation bins and written consent from the property owner to place the bin on his or her property;

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Plainsboro, County of Middlesex, State of New Jersey, as follows:

SECTION I.

The Code of the Township of Plainsboro, New Jersey, Part II "General Legislation" is hereby amended and supplemented as follows:

Chapter 75A "Donation Bins"

§75A-1 Definitions

"Bona Fide Office" means a location where a representative of the person or entity responsible for the donation bin can be reached during normal business hours. An answering machine or answering service does not constitute a bona fide office

"Person" means any individual, business entity or organization whether for-profit or not-for-profit who is the registrant, owner and is responsible for the donation bin.

"Solicitation" or "Solicit" means the request, directly or indirectly, for money, credit, property, financial assistance, or other thing of any kind or value in conjunction with the maintenance of a donation bin. Solicitation shall include, but not be limited to, the use or employment of canisters, cards, receptacles or similar devices for the collection of money or other thing of value. A solicitation shall take place whether or not the person making the solicitation receives any contribution.

§75A-2 Permit Required

- A. No person shall be permitted to place, use or employ a donation bin for solicitation of clothing, or any other thing of value, on any property located in the Township unless a permit is first obtained.
- B. In applying for a permit, the person shall set forth on the application:
 - (1) The location of bin described as precisely as possible.

- (2) The manner in which the donations collected will be used, sold, or dispensed, and the method by which the proceeds of collected donations will be allocated or spent.
- (3) The name, address and telephone number of the bona fide office of all persons which may share or profit from any donations collected.
- (4) Written consent from the property owner to place the bin on the property.
- (5) Application fee of \$25.00 shall be included with the application.

C. Each permit issued under the terms of this chapter shall be valid:

- (1) For a single donation bin, to which the permit must be affixed.
- (2) For the specific location described in the permit application.
- (3) For a period of twelve (12) months from the date of the issuance.

D. The Township shall not grant an application for a permit to place, use, or employ a donation bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a donation bin within 100 yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.

E. An expiring permit may be renewed upon submission of an application for renewal and payment of the \$25.00 renewal fee. Such renewal application shall include:

- (1) The location where the bin is currently situated. If the person intends to move the bin, the location where the bin will be situated after the renewal is granted
- (2) Written consent from the property owner to place the bin on his property.
- (3) The manner in which the person has used, sold or dispensed any donations collected, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates being made in the use, sale or dispensation of any donations collected during the period covered by the renewal.
- (4) The address and telephone number of the bona fide office of any person that shared or profited from any donations collected, and of any persons which may do so during the period covered by the renewal.

F. Upon the permit being granted, the following information must be clearly and conspicuously displayed on the exterior of the donation bin:

- (1) The permit number and the date of expiration;
- (2) The name, address and telephone number of the bona fide office;
- (3) A list of all entities, including name, address and telephone number, which may share or profit from any donations collected; and
- (4) A statement indicating the manner in which donations will be used, sold, or dispersed, and the method by which the proceeds of the donations will be allocated or spent.

§75A-3 Complaints, Violation and Penalties

A. The Township Zoning Officer shall investigate any complaints received about a donation bin within 30 days of the receipt of the complaint. Whenever it appears that a violation of the Township ordinances has occurred, the person who placed the bin shall be issued a warning, stating that if the violation is not rectified or a hearing before the governing body is not requested within 45 days of the notice being issued that the Township may seize the bin, remove it, or have it removed, at the expense of the person

who placed the bin, and sell at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Township's General Fund.

B. Notice shall be deemed to have been made on the date that the violation notice is affixed to the exterior of the bin. The Township may, in its sole discretion, make notice by any other additional means.

C. In addition to any other penalties or remedies authorized by the laws of this State, any person who violates any provision of this chapter which results in seizure of the donation bin shall be:

- (1) Subject to a penalty of up to \$20,000 for each violation. The Township Zoning Officer may bring this action in the municipal court or Superior Court as a summary proceeding under the "Penalty Enforcement Law of 1999," and any penalty monies collected shall be paid to the Township's General Fund.
- (2) Deemed ineligible to place, use, or employ a donation bin pursuant to this chapter. A person disqualified from placing, using, or employing a donation bin may apply to the Township to have eligibility restored. The Township may restore the eligibility of a person who:
 - (a) acts within the public interest; and
 - (b) demonstrates that he/she made a good faith effort to comply with the provisions of this chapter and all other applicable laws and regulations, or had no fraudulent intentions.

SECTION II.

In the event that any portion of these Ordinances are found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinances shall be deemed severable therefrom and shall not be affected.

SECTION III.

This ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced at a Meeting of the Township Committee of the Township of Plainsboro on 6-10-09 and Published on 6-21-09. Adopted at a Meeting held on 7-8-09 and Published on 7-14-09.