

**CITY OF DALTON
ORDINANCE**

ORDINANCE NO.22-25

AN ORDINANCE TO REPEAL ARTICLE VIII “DONATION BINS” IN CHAPTER 26 “BUSINESSES” OF THE 2001 REVISED CODE OF ORDINANCES OF THE CITY OF DALTON; TO ESTABLISH AN EFFECTIVE DATE; TO SET PENALTIES FOR FALIURE TO REMOVE A DONATION BIN PRESENTLY PERMITTED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council find the City’s effort to permit donation bins at locations throughout the City of Dalton pursuant to the regulatory scheme in Sections 26-306 through 26-311 of the 2001 Revised Code of Ordinances of the City of Dalton (“the Code”) is no longer desirable inasmuch as the sites for such donation bins create unsightly and unhealthy conditions and permittees do not always maintain the donation bin sites as contemplated by those Ordinances; and

WHEREAS, the health, safety and welfare of the citizens of Dalton is better served by repeal of Article VIII “Donation Bins” of Chapter 26 “Businesses” of the Code;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of same IT IS HEREBY ORDAINED as follows:

-1-

REPEALER

Effective upon adoption of this Ordinance by the Mayor and Council and as stated below and certified by the City Clerk, Article VIII “Donation Bins” of Chapter 26 “Businesses” being 2001 Revised Code Sections 26-306, 26-307, 26-308, 26-309, 26-310, and 26-311 are hereby repealed such that no new or renewal permit(s) shall be issued by the City to any person. However, these Code Sections shall remain effective temporarily as to existing permits not yet expired as provided in Section 2 hereof.

-2-

UNEXPIRED EXISTING PERMITS

Bin owners and property owners who hold an unexpired permit at the effective date of the Ordinance shall be entitled to maintain the permitted donation bin until the expiration of the existing permit. Such donation bin must be kept and maintained strictly in accordance with the rules of Article VIII "Donation Bins" of Chapter 26 "Businesses" under which the donation bin was permitted.

At the expiration of the term of any such permit the donation bin shall be removed and the property location shall be left free of litter, garbage, and other junk, debris, or materials surrounding the donation bin.

Failure to comply with this removal provision shall be subject to citation to the Municipal Court, and upon a determination by the Court that a violation has occurred, a fine that shall not exceed \$1,000.00 may be assessed against the violator.

-3-

All laws or ordinances of the City of Dalton in conflict herewith are hereby repealed.

-4-

This Ordinance shall be effective after adoption by the Mayor and Council of the City of Dalton and it being published in two (2) public places for five (5) consecutive days thereafter.

SO ORDAINED this _____ day of _____, 2022.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the Ordinance was made by Councilmember _____, second by Councilmember _____.

_____ and upon the question the vote is _____ ayes,
_____ nays and the Ordinance DOES/DOES NOT pass.

CITY OF DALTON

By: _____
Mayor

ATTEST:

City Clerk

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of the _____ day of _____, 20_____.

City Clerk