



**CITY OF EVERMAN**  
212 North Race Street Everman, TX 76140  
**STAFF REPORT**

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**AGENDA TITLE:** ORDINANCE NO. 837

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF EVERMAN, BY AMENDING CHAPTER 10, "HEALTH, SAFETY AND NUISANCES," BY ADDING A NEW ARTICLE XI, TO BE ENTITLED, "DONATION COLLECTION BINS," TO ADOPT REGULATIONS FOR THE PLACEMENT AND USE OF DONATION COLLECTION BINS IN THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND, IN CASES OF ENDANGERMENT TO PUBLIC HEALTH AND SAFETY, A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.090) FOR EACH OFFENSE ; AND PROVIDING AN EFFECTIVE DATE.

**MEETING DATE:** August 12, 2025

**PREPARED BY:** C. W. Spencer & Victoria Thomas

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**RECOMMENDED ACTION:**

Approval

**INFORMATION**

**PURPOSE**

The purpose of this staff report is to summarize Ordinance No. 837, which establishes new regulations governing the placement, maintenance, and permitting of donation collection bins within the City of Everman.

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**BACKGROUND**

The proliferation of donation collection bins throughout Everman—particularly on commercial properties—has resulted in growing concerns related to blight, unauthorized placement, accumulation of trash, and health and safety risks. These bins are often unsupervised, become overloaded, or are misused for illegal dumping, negatively affecting neighborhood aesthetics and property values.

To address these issues, Ordinance No. 837 introduces a comprehensive regulatory framework to ensure donation bins are lawfully installed, regularly maintained, and do not pose hazards to the public.

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## SUMMARY OF ORDINANCE NO. 837

### Code Amendment

- Adds Article XI – *Donation Collection Bins* to Chapter 10 of the Code of Ordinances.

### Key Provisions

- **Permit Required:** A valid permit is required for each individual bin. No nonconforming use status is granted for existing bins.
- **Eligibility & Application:** Applicants must be Texas-registered nonprofits or operate under agreement with one. Proof of compliance with Subchapter K, Chapter 17, Texas Business & Commerce Code is required.
- **Zoning Restrictions:** Bins are prohibited in residential, agricultural, and mobile home park districts.
- **Placement Standards:**
  - Not allowed within 50 feet of building entrances or 200 feet of residential zones
  - Must not obstruct traffic, fire lanes, or easements
  - Requires designated stacking/parking space
  - Prohibited on properties selling flammable materials
- **Design & Maintenance:**
  - Max bin size: 175 cubic feet (200 cu. ft. with Special Exception)
  - Must be enclosed on three sides by a 6' masonry wall matching adjacent structures
  - No high-intensity colors; single solid color required
  - Bin and area must be kept clean and free from debris or overflow
- **Joint Responsibility:** Both property owners and bin operators are responsible for upkeep and compliance.
- **Penalties & Enforcement:**
  - Daily fines up to \$500 for general violations; up to \$2,000 for health/sanitation issues
  - City may impound bins for repeated violations, non-compliance, or nuisance conditions
  - Impounded bins not retrieved within 30 days are forfeited to the City
- **Revocation & Appeals:**

- Permits may be revoked for violations or false application information
  - Appeals must be submitted within 10 days to the Board of Adjustment
  - **Special Exceptions:**
    - May be granted for bin size up to 200 cu. ft.
    - Considerations include applicant history, public safety, and site-specific conditions
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## **IMPACT**

Adopting this ordinance allows the City to:

- Improve visual and environmental conditions in public and commercial spaces
  - Reduce illegal dumping and nuisance complaints
  - Ensure equitable and regulated use of donation bin locations
  - Protect the health, safety, and welfare of residents and businesses
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## **FISCAL IMPACT:**

None