



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mindi Hurley, Director of Community Development

**Date:** March 25, 2025

**Reference:** Consider an Ordinance amending Chapter 6 of the Code of Ordinances by adding a new Article, Article 6-19 “Donation Receptacles”; providing for definitions; providing purpose; providing applicability; providing registration; providing permit requirements; providing application requirements and donation box requirements; prohibiting transfer of permit; providing for violations and penalties; providing fees; providing a repealing clause; providing a severability clause; providing a savings clause; providing for an effective date, and authorizing the Mayor to sign.

**2040:** Sustainable Government

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### Introduction:

The purpose of this request is to establish the permitting, registration and inspection requirements for donation receptacles.

### Background:

In July 2024, staff made a presentation to Council regarding the proliferation of Donation Receptacles around the city. During that presentation, staff provided multiple images of commercial areas where the presence of the donation receptacles had grown and the effect was visual clutter, donation bins taking up required parking spaces and the overflow of items spilling out of the receptacles and onto the pavement. The result of that meeting was direction from Council to create an ordinance to regulate donation receptacles.

The Ordinance will regulate the allowable locations of donation receptacles, the permitting process, permitting requirements, donation receptacle requirements, maintenance and upkeep. The ordinance makes it illegal for any person to place or maintain, or allow to be placed or maintained, any donation receptacle within the City of Coppell, without having first secured a permit and decal in compliance with the ordinance. In addition, no previously placed donation receptacles shall be granted any legal non-conforming rights under this ordinance. This means that all existing donation receptacles will need to comply with the ordinance and receive a permit and ensure they are in compliance with the requirements. The donations inside of the receptacles shall be collected weekly. Donation receptacles shall only be allowed within the following zoning districts: Commercial (C), Retail (R), Highway Commercial (HC), and Light Industrial (LI), or any zoned property owned by Coppell Independent

School District or Carrollton Farmers Branch Independent School District and shall only be placed on a lot which contains a building that is an ongoing business. No more than one (1) donation receptacle, maximum 50 square feet in size, may be permitted for placement on any one lot or commercial/industrial development consisting of multiple lots. A donation receptacle shall be enclosed by use of a receiving door and locked so that the contents of the donation receptacle may not be accessed by anyone other than those responsible for the retrieval of the contents.

Donation receptacles will not be allowed in required setbacks, required parking and will need to be on a concrete surface and screened on three sides with materials that match the main building. The property owner must sign the application, which acknowledges that the donation receptacle will be placed on their property. The operator of the receptacle must provide and have on file emergency contact information so that they can be contacted if there are any issues. The operator and the property owner shall be held jointly and severally liable and responsible for compliance with this section, for the maintenance, upkeep and servicing of the donation receptacle, and for clean-up and removal of any donations left on the property outside of the receptacle. The operator and property owner shall be given written notice of any conditions constituting a violation of this article. Any conditions that are in violation of this article and not remedied within forty-eight (48) hours of receipt of written notice thereof shall result in revocation of the permit for the donation receptacle at issue. Upon revocation, the donation receptacle shall be removed from the property within thirty (30) calendar days and if not removed within this time period, the city may remove and dispose of the donation receptacle and the operator and property owner will be jointly and severally liable for payment to the city of the reasonable and necessary costs of such removal and disposal. If revoked, both the operator and property owner shall be prohibited from applying for a new permit for a period of two (2) years. The appeal process will be to the Board of Adjustment within ten (10) days after notice of revocation is issued by the City.

**Benefit to the Community:**

By requiring the registration, permitting and inspection of these donation receptacles, the City and the community can have transparency of who the receptacle belongs to, who it benefits and can regulate unwanted overflow of donations.

**Legal Review:**

The City Attorney drafted the Ordinance.

**Fiscal Impact:**

Fees will be established.

**Recommendation:**

Staff recommends approval of the proposed regulations for Donation Receptacles.

**Attachments:**

1. Ordinance.