

Authority: Planning and Transportation Committee Report 4, Clause 11,  
as adopted by City of Toronto Council on June 27, 28 and 29, 2006  
Enacted by Council: September 27, 2006

**CITY OF TORONTO**

**BY-LAW No. 800-2006**

**To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting clothing drop box businesses in the City of Toronto, and to amend City of Toronto Municipal Code Chapter 629, Property Standards.**

WHEREAS Section 150 of the *Municipal Act, 2001* grants local municipalities the authority to license, regulate and govern any business wholly or partly carried on within the municipality for purposes of health and safety, consumer protection and / or nuisance control; and

WHEREAS there is a need to separately license and regulate businesses that operate clothing drop boxes to address health and safety, nuisance and consumer protection concerns raised by this business activity; and

WHEREAS the concerns raised by the operation of these businesses and the use of clothing drop boxes include accumulation of litter, dirt and debris in and around some clothing drop boxes, graffiti on some clothing drop boxes, and business practices which mislead consumers by giving the appearance that the clothing is collected for charitable purposes only; and

WHEREAS a licence fee that is sufficient to cover the costs of administration and enforcement of Chapter 545 is necessary to ensure that the protection of consumers, the health and safety of the public and the control of nuisance can be accomplished through an adequately funded and administratively efficient program.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 629-10 of Toronto Municipal Code Chapter 629, Property Standards, is amended by adding the following subsection:

F. Clothing Drop Boxes

Every owner of property on which a clothing drop box is used or located shall ensure that the clothing drop box is clean, in good repair and is free of graffiti, and shall ensure that all areas immediately adjacent to the clothing drop box are clean and free of litter, refuse and other debris.

2. Section 545-1 of Toronto Municipal Code Chapter 545, Licensing, is amended by adding the following definitions in alphabetical order:

**CLOTHING DROP BOX** – Any receptacle used for the purpose of collecting clothing, donated by the public, on an ongoing basis and as part of the regular activity of the operator

3. Section 545-2A of Chapter 545 is amended by adding the following subsection:

(67) Every operator of a clothing drop box.

4. Appendix A to Chapter 545 is amended by adding the following Fee Class:

Fee Class 17 (Clothing Drop Box Operator)

Every operator of a clothing drop box.

For initial licence	\$ 517.61
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For renewal of licence	\$ 241.35
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5. Chapter 545 is further amended by adding the Article attached as Schedule "A to this by-law.

6. This by-law shall come into force on January 1, 2007.

ENACTED AND PASSED this 27th day of September, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**SCHEDULE “A”**

**ARTICLE XLII  
CLOTHING DROP BOX**

**§ 545-500. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**CHARITY** – A registered charity, as defined in subsection 248(1) of the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), or successor legislation, that has a registration number issued by the Canada Revenue Agency, or successor agency.

**COMMUNITY ORGANIZATION** – A non-profit group of persons organized for the advancement of activities of a civic, cultural or recreational nature.

**OPERATOR** – an operator of a clothing drop box who is licensed as such or required to be licensed as such under this Chapter.

**RELIGIOUS INSTITUTION** – An association of persons that is registered as a charity under the federal Income Tax Act, R.S.C. 1985, c. 1 (5th Supp.), or successor legislation, and is organized for the advancement of religion and for the conduct of religious worship, services or rites.

**§ 545-501. Endorsement Requirement.**

Every operator who operates more than one clothing drop box shall, subject to the provisions of this Article and subject to the payment of the fee prescribed by § 545-506A of this Article, obtain a separate endorsement of his or her licence for every clothing drop box he or she operates.

**§ 545-502. Additional information to be filed with application for operator’s licence; endorsement.**

- A. In addition to any information required to be furnished under this Chapter, every applicant for a licence as an operator or for an endorsement of an operator’s licence shall:
- (1) provide a list of the number and locations of all of his or her clothing drop boxes in the City of Toronto; and
  - (2) for each location at which the operator operates a clothing drop box, provide proof satisfactory to the Executive Director or her designate that the operator has permission from the property owner to operate the clothing drop box at that location.
- B. Every operator shall ensure that the information filed under § 545-502A is complete and accurate at all times and shall forthwith notify the Municipal Licensing and Standards Division of any changes to the information filed.

**§ 545-503. Sticker.**

- A. Every operator shall, for each clothing drop box operated by such person for which a licence or endorsement has been issued:
- (1) Obtain a sticker from the Municipal Licensing and Standards Division bearing an identifying number, the location for which the clothing drop box has been approved, and the expiry date of the licence or endorsement; and
  - (2) Affix and maintain the sticker on a conspicuous part of the clothing drop box throughout the period for which the licence or endorsement is valid.

**§ 545-504. Change or addition of clothing drop box location.**

- A. No operator shall operate a clothing drop box in any location other than the location in respect of which the licence or endorsement has been issued.
- B. Despite § 545-504A, an operator who wishes to move a clothing drop box may apply for an amendment to the licence or endorsement issued in respect of such clothing drop box by:
- (1) Paying the fee prescribed by § 545-507 of this Article; and
  - (2) Providing proof satisfactory to the Executive Director or her designate that the operator has permission from the property owner to operate the clothing drop box at that location.

**§ 545-505. General requirements.**

- A. Each operator shall:
- (1) Display the name of the operator in a conspicuous place on the clothing drop box, in lettering no smaller than 100 millimetres x 75 millimetres, and of a contrasting colour;
  - (2) Display the words: “Not a Charity, Community Organization or Religious Institution” immediately below the name of the operator, in lettering no smaller than 80 millimetres x 60 millimetres, and of a contrasting colour; and
  - (3) If any of the clothing collected by means of the clothing drop box is used to benefit a charity, community organization or religious institution, immediately below the message described in § 545-505A(2), in lettering no smaller than 80 millimetres x 60 millimetres, and of a contrasting colour, state the amount (as a percentage of sales) dedicated to charities, community organizations or religious institutions.

**§ 545-506. Litter Control.**

Every operator shall ensure that the clothing drop box is clean, in good repair and is free of graffiti and shall ensure that all areas immediately adjacent to the clothing drop box are clean and free of litter, refuse and other debris.

**§ 545-507. Fees.**

- A. Notwithstanding § 545-50 of this Chapter, every operator licensed as such under this Chapter who applies for an amendment to the licence under § 545-504B, or who applies for an endorsement to permit him or her to operate an additional clothing drop box, shall pay a fee of \$60.00.
- B. Notwithstanding any other provision in this Chapter, where an operator pays the fee referred to in clause A within 30 days of the expiry date of the licence, the fee payable for the renewal of the endorsement shall be reduced by the amount paid by the operator for the amendment or the endorsement.
- C. Every endorsement issued under § 545-501 shall expire on the date of expiry of the licence so endorsed and may be renewed subject to the provisions of this Chapter and upon payment of a renewal of endorsement fee of \$60.00.