

## **Regulating the Use of Clothing Drop Boxes – Supplementary Report**

<b>Date:</b>	November 23, 2012
<b>To:</b>	City Council
<b>From:</b>	Executive Director, Municipal Licensing and Standards
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2012\Cluster B\MLS\CC12021

### **SUMMARY**

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This report responds to the Licensing and Standards Committee's request to report directly to City Council on: the immediate removal of unpermitted boxes on City property, without notice; fines be charged to both the charity and box operator on behalf of the charity; and the permit number be displayed prominently on the box providing notice to contact 311.

Municipal Licensing and Standards will report to a future Licensing and Standards Committee meeting on the placement and removal of clothing drop boxes on municipal property.

### **Financial Impact**

There is no financial impact as a result of receiving this report.

### **DECISION HISTORY**

At its meeting of November 16, 2012, the Licensing and Standards Committee requested the Executive Director, Municipal Licensing and Standards report directly to Council on (1) the immediate removal of unpermitted clothing drop boxes on City property without notice; (2) that fines be the responsibility of both the charity and the third party operator of the box; and (3) that the box permit be displayed prominently, including information to contact 311 regarding concerns with the box.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.LS17.3>

## **COMMENTS**

The lack of a uniform “licensing” system has resulted in a proliferation of clothing drop boxes without clearly identifying which boxes were permitted and which were not. It also created enforcement challenges for staff in recognizing legitimate and non-legitimate charitable and not-for-profit organizations. The proposed new Clothing Drop Box By-law requires all clothing drop boxes (irrespective of charitable or for-profit status) to obtain and prominently display a location permit.

### **Immediate removal of unpermitted boxes on City property, without notice**

The authority for removal from municipal property, without notice, is provided within Toronto Municipal Code, Chapter 743, Use of Streets and Sidewalks, Article VIII, Section 45:

"Unless specified otherwise in this chapter, the General Manager may, without notice, remove, impound, restrain or immobilize any object, article, vehicle or thing that is placed, stopped, standing or parking on, in or near a street contrary to the provisions of this chapter."

A street is defined in Chapter 743 as a common and public highway and includes all or any portion of a street, avenue, sidewalk, boulevard, median, lane, alley, parkway, square, place, bridge, viaduct or other structure forming part of the highway.

Municipal Licensing and Standards will report to a future Licensing and Standards Committee meeting on the placement of clothing drop boxes on municipal property. The report will address removals from municipal property, as it relates to the city's agencies, boards, commissions and divisions.

### **Fines be charged to both the charity and box operator on behalf of charity**

There are different types of clothing drop box operators: for-profit operators, for-profit operators who designate a portion of their revenue to charity, charitable organizations who operate their own boxes, and those who operate boxes on behalf of charitable organizations.

Under the proposed Clothing Drop Box By-law all clothing drop box operators will be required to obtain a location permit for each box. The permit holder and where appropriate, the property owner, is responsible for fines and/or charges related to non-compliance of the By-law. For the purposes of third party operators operating clothing drop boxes on behalf of charitable organizations, fines would be directed to the operator and/or property owner.

## **Permit sticker to be displayed prominently with notice to contact 311**

A permit sticker/identifier is required to be affixed in a prominent location on each clothing drop box. This visual identifier assures both the donating public and enforcement staff that the permit holder has met the prescribed requirements for the box.

All permits will include a notice to contact 311 directly on the permit if the public has concerns regarding clothing drop boxes (Appendix A).

## **CONTACT**

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## **SIGNATURE**

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Tracey Cook  
Executive Director  
Municipal Licensing and Standards

## **ATTACHMENT**

Appendix A: Sample Permit Sticker with 311 contact information

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