ORDINANCE O019-2025

WASHINGTON TOWNSHIP
GLOUCESTER COUNTY

ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF THE TOWNSHIP OF WASHINGTON ENTITLED "CHARITIES"

WHEREAS, Chapter 47 of the Code of the Township of Washington regulates charities and, specifically, charitable clothing bins within the Township; and

WHEREAS, the Zoning Officer of the Township of Washington has recommended that there be certain amendments to the foregoing provisions of Chapter 47 entitled "Charities" pertaining to permitted uses in commercial districts within the Township; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township Council is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township of Washington by law; and

WHEREAS, Pursuant to N.J.S.A. 40:55D-62, the Township Council may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, there exists a need to amend and update Chapter 47 to prevent donations bins from creating a nuisance, hazard, or unsafe conditions within the Township of Washington; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64 the Township hereby refers this Ordinance and proposed zoning amendments to the Planning Board for a hearing and seeks their recommendations; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Washington, County of Gloucester and State of New Jersey, Chapter 47 of the Township Code is hereby amended as set forth below herein:

SECTION 1. Chapter 47, Article I of the Code of the Township of Washington, entitled "Charitable clothing bins," shall be modified and replaced as follows:

Article I Charitable Clothing and Other Donation Bins

§ 47-1 Definitions.

DONATION BIN
Any receptacle or container made of metal, steel, or any other material designed for the solicitation, collection and temporary storage of donated clothing or other donations.

§ 47-2 Requirements.

A. The purpose of this article is to implement the provisions of P.L. 2007, c. 209 (N.J.S.A. 40:48-2.60 et seq.) establishing guidelines for the use of donation bins throughout the Township of Washington as well as other types of donation bins.

B. Notwithstanding any other provision of law to the contrary, no person nor organization shall place, use, or employ a donation bin within the Township unless all of the following requirements are met:

1. Any and all donation bin(s) are for use by a duly registered nonprofit organization only.

2. All donation bins must comply with the regulations contained in N.J.S.A. 40:48-2.61(2) even where not repeated in this instant chapter of the Code of the Township of Washington.

3. Each nonresidential commercial premises devoted to nonprofit purposes, in addition to churches, are permitted to have up to three (3) on site donation bins.

4. The donation bin(s) shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, parking, and any other requirements that may have been imposed as part of the site plan approval for the premises, and shall be placed on a concrete surface.

5. The donation bins shall not be placed in a designated parking space, unless specifically authorized by the Zoning Officer.

6. The donation bin(s) shall not obstruct any egress door from any building, shall be not less than ten (10) feet from any fire hydrant or any fire department connection to any suppression system, shall be not less than ten (10) feet from any building overhang or eave or horizontal building feature, shall not be less than ten (10) feet from any building opening, and shall not be less than one hundred (100) yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases or contains any emergency controls for the operation of any flammable or combustible liquid or gaseous dispensing operation.

7. The donation bin(s) shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the donation bin(s) may not be accessed by anyone other than those responsible for the retrieval of the contents.

8. Each donation bin shall not cover a ground surface area in excess of five (5) feet by five (5) feet, nor be more than six (6) feet in height.

§ 47-3 Permit.

A. The owner(s) of any donation bin(s) shall be required to obtain a permit from the Township of Washington. The annual permit or permit annual renewal shall be issued by the Zoning Officer. The application fee shall be $25 annually.

B. The Zoning Officer shall grant the permit or renewed permit if he or she can determine that the requirements set forth below have been met:

1. The owner of the bin(s) shall provide the Zoning Officer with proof of nonprofit status upon applying for a permit consistent with § 47-2(B)(1) above;
2. All conditions set forth and referenced in § 47-2 herein have been met.
3. The conditions established in N.J.S. 40:48-2.61(2) have been met.

C. The Zoning Officer shall not grant a permit to place, use or employ a donation bin if he or she determines that the placement of the bin could constitute a safety hazard.

D. All permits issued hereunder shall expire on December 31st of each year, and an expiring permit for a donation bin may be renewed upon application for renewal and payment of the applicable annual fee.

E. The owner of any donation bin which is sponsored by any department, committee, or agency of the Township shall be required to comply with the licensure requirements hereof, but shall specifically be exempt from the fee requirement hereof.

F. The requirements of this chapter shall take effect upon adoption of this ordinance for all new donation bins and upon the expiration of any current permits issued for any existing bins.

§ 47-4 Duty to maintain and service bins.

A. It shall be the duty of each registered organization issued a permit hereunder to properly maintain and service any clothing donation bin placed within the Township so as to prevent such clothing bin from creating a nuisance, hazardous or unsafe condition in addition pursuant to the requirements of N.J.S.A. 40:48-2.61(2) and § 47-2 set forth herein.

B. Each donation bin must be regularly emptied of its contents so that it does not overflow, resulting in used clothing or other items being strewn about the surrounding area.

§ 47-5 Enforcement.

The Township Zoning Officer or any designee of the Zoning Officer as a person authorized to enforce the provisions of this Chapter shall, upon receipt of a complaint by a local resident or any other person that a clothing donation bin is causing a nuisance, hazardous or unsafe condition, investigate such complaint and take such enforcement action as is permitted pursuant to N.J.S.A. 40:48-2.62 and N.J.S.A. 40:48-2.63.

§ 47-6 Enforcement.

A. Violations and penalties; revocation of permit.
Any owner of a donation bin who violates any provision of this section and fails to cure such violation consistent with N.J.S.A. 40:48-2.62 shall be subject to the penalties and remedies set forth and referenced in N.J.S.A. 40:48-2.63 including, but not limited to, a penalty and permit revocation.

SECTION 2. Except as set forth in Section 1 above, the balance of the Code of the Township of Washington shall not be affected by this Ordinance.

SECTION 3. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 4. If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5. This Ordinance shall be referred to the Township Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

SECTION 6. Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board and other agencies as required by law.

SECTION 7. This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the Mayor, whichever comes first.

INTRODUCTION: September 10, 2025

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes		✓	✓				
Harris			✓				
Bennett			✓				
Brown	✓		✓				
Del Borrello			✓				

TOWNSHIP OF WASHINGTON

By: _____
Peter Del Borrello III, Council President

I, Christine Ciallella, do hereby attest the above Ordinance **0019-2025** was introduced at the Township of Washington Meeting on September 10, 2025. A public hearing will occur on September 24, 2025 at 6:00PM.

ATTEST:

Christine Ciallella, RMC, CMR
Township Clerk

ADOPTION: September 24, 2025

Members	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Yerkes		X	X				
Harris			X				
Bennett			X				
Brown	X		X				
Del Borrello			X				

I, Christine Ciallella, do hereby attest the above Ordinance **0019-2025** was adopted at the Township of Washington Meeting on September 24, 2025 by Township Council after a public hearing which was scheduled for September 24, 2025. Said Ordinance shall take effect in accordance with the law.

ATTEST:

Christine Ciallella, RMC, CMR
Township Clerk

On this 25 day of September 2025, I hereby approve the above Ordinance **0019-2025**.

ANTHONY DELLAPIA, MAYOR