



**AGENDA ITEM EXECUTIVE SUMMARY**

Title:	An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Section 17.22.020 "Accessory Buildings and Structures" and Section 17.30.030 "General Definitions" Regarding Donation Boxes
Presenter:	Rita Tungare

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input checked="" type="checkbox"/>	City Council (6-18-12)
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:	N/A	Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

As part of the proposed amendments to Title 17 (Zoning Ordinance) regarding Donation Boxes, Staff is presenting an Amendment to Title 15 (Buildings and Construction) to create new permit fees for these Donation Boxes. An Ordinance amending Title 15 is listed on the City Council agenda immediately after the ordinance amendment to Title 17.

The details of the Title 15 amendment are as follows:

Per the Planning and Development Committee recommendations, the proposed fee is setup in a two tier structure. All for-profit entities will be required to pay a \$50 permit fee. Fees will be waived for all charitable/non-profit organizations. In order to qualify as a charitable non-profit organization, the organization will have to be considered a 501(c)(3) organization as designated by the Internal Revenue Service. The applicant must present proof of their 501(c)(3) status when they submit their building permit application.

**Attachments:** *(please list)*

Ordinance Amending Title 17  
Ordinance Amending Title 15

**Recommendation / Suggested Action** *(briefly explain):*

Approve Ordinances amending Title 17 and title 15 regarding Donation Boxes.

<i>For office use only:</i>	<i>Agenda Item Number:</i>
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**City of St. Charles, Illinois**

**Ordinance No. 2012-Z-7**

**Ordinance Amending Title 17 of the St. Charles  
Municipal Code Entitled "Zoning" 17.22.020 "Accessory  
Buildings and Structures" and Section 17.30.030  
"General Definitions" Regarding Donation Boxes**

**Adopted by the  
City Council  
of the  
City of St. Charles  
June 18, 2012**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, June 22, 2012**

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**City Clerk**

**(S E A L)**

**City of St. Charles, IL**  
**Ordinance No. 2012-Z-\_\_\_\_\_**

**An Ordinance Amending Title 17 of the St. Charles Municipal Code  
Entitled "Zoning" Section 17.22.020 "Accessory Buildings and Structures"  
and Section 17.30.030 "General Definitions" Regarding Donation Boxes**

WHEREAS, on or about April 19, 2012, The City of St. Charles ("the Applicant") filed a petition to amend the Zoning Ordinance of the City of St. Charles regarding Donation Boxes; and,

WHEREAS, Notice of Public Hearing on said petition was published on or about April 20, 2012, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about May 8, 2012 and May 22, 2012 on said petition in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the petition on or about June 5, 2012; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the petition on or about June 11, 2012; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section 1.
2. That Chapter 17.22 "General Provisions" Section 17.22.020 "Accessory Buildings and Structures" is hereby amended by adding the following new Subsection 17.22.020.I "Donation Boxes" as follows:

“I. Donation Boxes

Donation Boxes shall be permitted in the BC and BR Zoning Districts in accordance with the following:

1. Boxes shall only be permitted on properties defined as Shopping Centers in Section 17.30.030.
2. Boxes shall not be permitted on properties in which the Shopping Center buildings are 100% vacant.
3. Written permission of the property owner must be obtained before placing the box on any property.
4. There shall be no more than three (3) boxes located in a Shopping Center.
5. Boxes shall not be located in the front or exterior side yard parking or building setback.
6. Boxes shall not be located within the required Sight Triangle in accordance with Section 17.22.010.F.
7. Boxes shall not be located within any off-street parking space.
8. Boxes shall not be placed as to obstruct pedestrian or vehicular traffic.
9. Boxes shall be located on a hard permanent surface.
10. Boxes shall be located so that they are inconspicuous from the public right-of-way, as determined by the Director of Community Development.
11. Boxes shall be limited to a maximum height of 7 feet.
12. Individual boxes shall be limited to a maximum foot print area of 25 square feet.
13. Signage lettering on the box cannot exceed 5 inches in height.
14. The name, address, email, and phone number of the box operator shall be posted on the box.
15. Pick up times for removal of the donated contents shall be posted and be visible on the front of the box.

3. That Chapter 17.30 “Definitions” Section 17.30.030 “General Definitions” the definition for “Donation Boxes” is hereby added as follows:

“**Donation Boxes.** Any enclosed container located on private or public property specifically for the purpose of collecting donated clothing, books, electronics, or other similar items. Cargo Containers, trash dumpsters, or trash receptacles shall not be considered Donation Boxes.”

4. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

5. This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of June 2012.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of June 2012.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 18th day of June 2012.

\_\_\_\_\_  
Donald P. DeWitte, Mayor

Attest:

\_\_\_\_\_  
City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_

State of Illinois )  
 )  
Counties of Kane and DuPage ) ss.

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on June 18, 2012, the Corporate Authorities of such municipality passed and approved Ordinance No. 2012-Z-7, entitled

"Ordinance Amending Title 17 of the St. Charles  
Municipal Code Entitled "Zoning" 17.22.020  
"Accessory Buildings and Structures" and Section  
17.30.030 "General Definitions" Regarding Donation  
Boxes,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2012-Z-7, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on June 22, 2012, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this \_\_\_\_\_ day of June 2012.

\_\_\_\_\_  
Municipal Clerk

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