


Department of Planning and Development

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MEMORANDUM

To: Developers, Property Owners, Consultants and Contractors

From: Kathy S. Holland, Director 

Subject: Amendment to the Unified Development Ordinance,
Effective October 25, 2016

Date: November 8, 2016

The Gwinnett County Board of Commissioners approved an amendment to Title 1 and Title 2 of the Unified Development Ordinance (UDO) effective October 25, 2016 regarding collection bins.

Summary of Key Changes

Definitions (Section 110-40):

- Delete the definition for *Donation Collection Bin*.
- Add definitions for:
 - *Collection Bin*
 - *Site Host, Collection Bin*
 - *Permittee, Collection Bin*
 - *Lawful Occupant, Collection Bin*

Qualifications for a Permittee:

- An organization exempt from taxes under 26 U.S.C. § 501(c)(3) of the United States Internal Revenue Code and in good standing with the State of Georgia;
- A business organization in good standing with the State of Georgia; or,
- A natural person.

Additional application requirements for qualified non-profit and business organizations:

- A certificate of good standing issued by the Office of the Georgia Secretary of State not older than three months at time of application of permit.
- A copy of the lease, rental agreement or other instrument between the Site Host or Lawful Occupant and the Permittee.
- Permittee must provide proof to Gwinnett County of a Certificate of Liability Insurance of at least \$1 million covering the liability of the Permittee arising out of the placement and maintenance of a collection bin.

Required Fee:

- Initial application fee \$250 and a \$25 Sticker fee; permits valid for one year.
- Renewal application fee \$250.

Location:

- Parcels of land 10 acres or less are allowed no more than two collection bins.
- Parcels greater than 10 acres, the Director may authorize one additional collection bin for every additional two acres of land.

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- Zoning districts that allow collection bins remained the same and are C-1, C-2, C-3, M-1, and M-2.
- Collection bin may be located on public property provided it meets all requirements of Subsection (C) 6 of Section 230-130.4.
- Collection bin shall not be located on property if the principal structure is vacant.

Size, Appearance and Screening:

- Collection bin may not exceed seven feet in total height.
- Exterior of collection bin shall be of neutral or earth tone color schemes per the Gwinnett County Architectural Design Standards, Color and Finish Chart found in the Appendix of the Gwinnett County Unified Development Ordinance.
- Prohibited colors:
 - High Intensity
 - Metallic
 - Black (letters and accent only)
 - Florescent colors
- Collection bin shall be surrounded by a three-sided opaque enclosure not less than six feet in height, with an open side facing away from any public road.

Violations and Penalties:

- Any person, corporation, company, or entity who places a collection bin on property prior to receiving a permit shall be subject to a penalty of \$300 for each violation.
- If a Permittee is found to have violated any provision of Section 230-130.4.C after notice and opportunity to cure the alleged violation the Permittee shall be subject to a penalty of \$250 for each violation.
- If a Permittee is found to have violated the provisions of Section 230-130.4.C on more than three occasions in a calendar year the Permittee shall not be allowed to place or renew any collection bins within the County for a period of one year.

Liability; protections:

- The Site Host or Lawful Occupant will be held harmless by the Permittee for the removal of an unauthorized collection bin.

A detailed listing of all the changes in the amendment (UDOA2016-00003) may be found on our website at:

www.gwinnettcountry.com/Departments/PlanningandDevelopment/UnifiedDevelopmentOrdinance

If you have any questions concerning your project please contact a Planner at 678.518.6000.