

Senator Tippins of the 37th offered the following amendment:

ADOPTED

1 *Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 475*
 2 *(LC 36 3512S) by adding after "to provide for related matters;" on line 4, the following:*
 3 to allow local governing authorities to issue written notices; to allow local governing
 4 authorities to petition the superior court for an order for the removal of collection receptacles;
 5 to provide for a superior court to order collection receptacles to be removed at the cost of the
 6 paid solicitor or charitable organization; to provide for local governing authorities to remove
 7 any collection receptacle subject to the court's order at the cost of the property owner, paid
 8 solicitor, or charitable organization;

9 *By inserting between lines 73 and 74 the following:*

10 Said chapter is further amended by adding a new Code section to read as follows:

11 "43-17-8.2.

12 (a) Notwithstanding any other provision of law to the contrary, any local governing
 13 authority which has collection receptacles located within its geographical boundaries shall
 14 be authorized to issue written notices of violations to both the property owner and the paid
 15 solicitor responsible for each collection receptacle at any time the immediate area
 16 surrounding such collection receptacle is not maintained in an orderly, clean, and sanitary
 17 manner. Notice shall be promptly sent to the property owner and the paid solicitor, with
 18 a copy to the charitable organization. The notice shall provide for a ten-day period from
 19 the date of the notice to remediate the violation and clean and maintain the area around
 20 such collection receptacle.

21 (b)(1) If the property owner, paid solicitor, or charitable organization responsible for the
 22 operation of a collection receptacle fails to comply with the notice in accordance with
 23 subsection (a) of this Code section three times in any calendar year, or, if the governing
 24 authority finds that the area surrounding such collection receptacle is a nuisance, the local
 25 governing authority shall be authorized to petition the superior court to issue an order
 26 requiring the removal of such collection receptacle from the geographical boundaries of
 27 the jurisdiction for a period of not less than three years.

28 (2) The relief imposed by the superior court shall require the immediate removal of such
 29 collection receptacle at the cost of the property owner or paid solicitor responsible for it,
 30 or, alternatively, the charitable organization for which such collection receptacle was
 31 placed and the imposition of court costs.

32 (3) If a collection receptacle is not removed within 30 days of the superior court's order,
33 the local governing authority shall be authorized to remove such collection receptacle and
34 seek reimbursement from the property owner, paid solicitor, or charitable organization
35 for court costs and fees related to the removal of such collection receptacle."

36 **SECTION 4.**

37 *By redesignating Section 4 as Section 5.*

38 *By replacing "\$2,500.00" with "\$250.00" on lines 85 and 89 and by replacing "\$5,000.00"*
39 *with "\$500.00" on lines 86 and 90.*