

Senator Tippins of the 37th offered the following amendment:

**ADOPTED SENATE**

*Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 475 (LC 36 3512S) by adding after "to provide for related matters;" on line 4, the following:*

to allow local governing authorities to issue written notices; to allow local governing authorities to petition the superior court for an order for the removal of collection receptacles; to provide for a superior court to order collection receptacles to be removed at the cost of the paid solicitor or charitable organization; to provide for local governing authorities to remove any collection receptacle subject to the court's order at the cost of the property owner, paid solicitor, or charitable organization;

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

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

"43-17-8.2.

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

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

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

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

## SECTION 4.

*By redesignating Section 4 as Section 5.*

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