

AN ORDINANCE OF THE BOROUGH OF SOMERDALE AMENDING THE CODE OF THE BOROUGH OF TO ADD SEC. 197-12 PORTABLE STORAGE UNITS

Be it ordained by the Mayor and Council of the Borough of Somerdale, County of Camden, State of New Jersey that the Borough Code be and is amended to add the following:

Sec. 197-12 Portable Storage Units

A. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

1) PORTABLE STORAGE UNIT

Any container designed for the outdoor storage of personal property, including a "POD" or similar storage container, which is typically rented to owners or occupants of property for their temporary use and which is delivered and removed by vehicle.

2) SITE or PROPERTY

A piece, parcel, tract, or plot of land occupied or that may be occupied, by one or more buildings or uses and their accessory buildings and accessory uses which is generally considered to be one unified parcel.

3) USER

The owner or occupant of property entering into an agreement with a portable storage unit company or other person or entity for the placement of a portable storage unit on a site located in the Borough of Somerdale.

B. Placement.

- 1) No portable storage unit shall be placed or maintained by any private person or entity in or on any Somerdale Borough property, street or right-of-way without a valid permit issued by the Nuisance/Property Maintenance Officer in accordance with the requirements of Chapter of the Somerdale Borough Code applicable to roll-off containers and dumpsters.
- 2) No portable storage unit shall be placed or maintained on any private property unless it complies with one or more of the following provisions:
 - a. Such containers may be placed or maintained on a driveway or other suitably paved area at the furthest accessible point from the street for purposes of packing or unpacking goods and materials of the owner or occupant of the property in

preparation for or subsequent to moving into or out of the property for a period of not more than 30 consecutive days.

- 3) Such containers may be placed or maintained on a driveway or other suitably paved area at the furthest accessible point from the street for purposes of storing the personal property of the owner or occupant of the property when necessary during renovation or rehabilitation of the structure located on the property in which the personal property would otherwise be located during the period of renovation or rehabilitation, but in no event more than a total of 30 consecutive days.

C. Permits required.

Prior to the placement of a portable storage unit on any private property (not covered by a duly approved site plan), the owner of the property using the portable storage unit or the person contracting for the use of such portable storage unit shall apply for and receive a permit from the Borough in accordance with the requirements and standards set forth herein.

- 1) Application for a permit shall be made to the Somerdale Code Enforcement Officer on a form provided by the Borough of Somerdale. The application shall require, among other things, the full name, address and other contact information for the owner of the portable storage unit, the owner of the property with which the use of the portable storage unit is associated, and the person contracting for the use of the portable storage unit (if such person is not the owner of the property for which the portable storage unit is to be used). Every application for a permit shall be accompanied by a permit fee as per the Borough Fee Schedule.
- 2) Any portable storage unit placed on private property shall be placed on a suitable base to assure stability. If, in the opinion of the Somerdale Police Department or the Somerdale Code Enforcement Officer, the location is sufficiently close to a vehicular intersection or pedestrian path, the permit may require that the unit be equipped with appropriate reflectors or other safety markings so that the unit will not constitute a hazard to traffic or pedestrians. The specific number, location and type of markings shall be determined by the Somerdale Borough Code Enforcement Officer and noted on the permit at the time of its issuance or at any time thereafter.
- 3) Any permit issued for placement of a portable storage unit on private property shall be valid for a period of 30 days.
- 4) Upon a showing of continued need for the portable storage unit (such as during the course of major construction projects), the Somerdale Code Enforcement Officer may renew a permit for up to two additional periods, not to exceed 30 days each, upon the filing of an application for renewal and payment of a fee as per the Borough Fee Schedule for each renewal.

5) An application for an additional extension beyond the time periods specified in Subsection 4 may be made to the Somerdale Code Enforcement or his designee on a form provided by the Borough of Somerdale. The application shall contain complete identifying information regarding the portable storage unit, the permit number, the time the portable storage unit has been at the Site, and the reason for its use. The application for an additional extension shall be accompanied by a fee as per the Borough Fee Schedule.

(1) The application shall be reviewed and a determination made as to whether an additional extension should be granted, and the duration of that extension, within five business days of the filing of a complete application.

(2) In considering the application, the Somerdale Code Enforcement Officer or his designee shall consider the following:

(a) The length of time the portable storage unit has been in place;

(b) The particular use of the portable storage unit;

(c) The reasonableness of the time required to complete that purpose in light of all attendant circumstances;

(d) The location of the portable storage unit;

(e) The visual impact, nature of the neighborhood, and similar issues;

(f) Whether noise, litter or other quality of life issues have been associated with the use of the portable storage unit;

(g) Whether the delay in completing the work or project for which the portable storage unit is necessary is beyond the reasonable control of the owner of the property;

(h) The additional time reasonably necessary to complete the work or project; and

(i) Such other factors deemed reasonable and appropriate wider the circumstances.

D. General restrictions and requirements.

1) No more than one portable storage unit may be placed on any property at one time and no more than one permit may be issued for any property, including any renewals of said permit, during a twelve-month period.

2) No hazardous material or organic waste shall be placed in a portable storage unit.

3) No portable storage unit shall be used for the storage of construction debris, business inventory, commercial goods, or any personal property which is not owned by the owner

or occupant of the property where the unit is located. Upon reasonable notice to the permit holder, the Somerdale Borough may inspect the contents of any portable storage unit for compliance with this chapter.

- 4) The owner of the portable storage unit and the owner of the site on which the unit is located shall be jointly responsible to ensure that the portable storage unit is in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks.
- 5) A portable storage unit shall be no larger than 130 square feet in area and no higher than 10 feet above grade.

E. Responsibility for compliance.

- 1) The person contracting for the use of a portable storage unit and the owner of the property associated with its use shall be jointly responsible for compliance with the provisions of this chapter. Copies of the penalty provisions of this chapter shall be appended to the permit and shall be mailed with a copy of the permit to the owner of the portable storage unit, the property owner, and any other interested party.

F. Violations and penalties.

- 1) It shall be unlawful for a portable storage unit to remain on any property in excess of the time period set forth in the permit issued by the Borough of Somerdale. Each day a portable storage unit remains on a property in violation of the provisions of this chapter shall be considered a separate violation subject to the penalties. Any person who violates any provision of this article shall, upon conviction thereof, be subject to any combination of the following:
 - A. A fine of not less than \$100 nor more than \$1,000.
 - B. A term of imprisonment not exceeding 90 days.
 - C. A period of community service not exceeding 90 days.

Date Introduced: September 14, 2022

Gary J. Passanante, Mayor

Date Adopted: October 12, 2022

Attest: _____
Michele Miller, RMC