

**BOROUGH OF WALLINGTON
ORDINANCE NO. 2022-018**

**AN ORDINANCE TO AMEND CHAPTER 276 OF THE
CODE OF THE BOROUGH OF WALLINGTON TO
REGULATE THE USE OF STORAGE PODS.**

BE IT ORDAINED By the Mayor and Council of the Borough of Wallington as follows:

1. Subsection A of Section 276-8 of the Code of the Borough of Wallington (the “Code”) is amended and supplemented to add thereto the following definition:

The term “Pod” shall mean a container designed or used for the outdoor storage of personal property and delivered and removed by a vehicle. This term shall not include roll-off containers with a capacity of less than 150 cubic feet used for yard waste or debris removal.

2. Subsection B of Section 276-9 of the Code is amended and supplemented to add thereto the following subsection 13:

(13) Pods.

A. Findings. The Mayor and Council hereby find that the unregulated use of storage Pods has the potential to create harm to the public health and welfare of the Borough.

B. Application. No Pod shall be placed on any property in the Borough except in compliance with this Section 13. Pods shall comply with the standards established by this chapter together with all other applicable regulations of the Borough. Where the requirements of any part of this chapter conflict with any other section of the Borough Code, the stricter provisions of this chapter shall govern.

(1) A permit shall be required for the placement of a Pod at any site for any period of time greater than one week. The owner/occupant of a site must apply to the Borough for a permit to place a Pod on a site. The clerk shall refer the application to the Zoning Officer for review and approval.

(2) A permit may be issued to allow the placement of a Pod on a site for an initial period of 30 days. A permit may be renewed for no more than two additional six-month periods upon applications for renewal by a permit holder, but no longer than 30 days after a valid certificate of approval or temporary certificate of occupancy has been issued by the Building Department.

(3) No permit for a Pod shall be issued to any user found to be in violation of any provision of the Property Maintenance or Zoning Ordinance until such time as the violation or violations are corrected.

(9) The Pod shall be kept free from rust, peeling paint and other forms of deterioration.

(10) The Pod shall remain closed at all times except when loading or unloading.

D. Signage.

(1) No signage shall be placed on any Pod other than signage containing the name, address and telephone number of the person or entity engaged in the business of renting the Pod or placing the Pod on a user's site.

(2) All signs on Pods must be permanently adhered to or painted on the Pod.

(1) There shall be no more than one sign attached to any side of a Pod and no more than 2 signs on any Pod.

E. Electrical service; lighting. There shall be no lighting fixtures attached to any Pod nor shall there be any lighting fixtures utilized to light the interior of a Pod. Additionally, electrical service to the Pod shall not be permitted.

F. Maintenance. All Pods shall be maintained in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing, or other unsightly condition. All Pods must be locked when not being used. Tarps shall be permitted on the roof if properly secured.

G. Violations and penalties.

(1) It shall be unlawful for any person to allow a Pod to remain on a site which he or she owns, rents, occupies or controls without first obtaining a permit for said Pod.

(2) An applicant who allows a Pod to remain on site for longer than seven days without first obtaining a permit as required by this chapter shall be notified that he or she has two days to remove the Pod or to obtain a permit for same.

(3) Each day that a Pod remains on site shall subject the applicant to penalties, with each day that the Pod remains on the site considered to be a separate violation of the provisions of this chapter.

(4) Any person found to have violated a provision of this chapter shall be subject to a minimum fine of \$250 per violation, not to exceed \$2,000.

(5) If any conditions/regulations are violated the Village can revoke the permit and require its removal immediately.

(6) These regulations shall be enforced by the Village Police Department, employees of the Building and Engineering Departments or their designees.