

ORDINANCE # 13-2019

AN ORDINANCE AMENDING CHAPTER 81, STORAGE, OUTDOOR, SECTIONS 81-2, OUTDOOR STORAGE OR ABANDONMENT OF CERTAIN ARTICLES PROHIBITED, SUBSECTION A, AND 81-2.2 TEMPORARY STORAGE UNITS, TRAILERS AND PODS OF THE CODE OF THE BOROUGH OF CLAYTON

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Clayton, County of Gloucester and State of New Jersey that the governing body does hereby amend Chapter 81 of the Code of the Borough of Clayton entitled Towing and Storage Services as follows:

Section 1. Chapter 81, Storage, Outdoor, Section 81-2, Outdoor storage or abandonment of certain articles prohibited, Subsection A, is hereby amended to read as follows:

§81-2(A) No person or corporation shall place, abandon or leave, keep or store, suffer or permit the placing, abandoning, leaving, keeping, or storage of any unused machinery or equipment, PODs®/dumpsters, bulky household waste, furniture, mattresses, tires, lumber, building materials or any other personal property not in use, constituting trash, rubbish, and debris, out of doors upon any public or private land in the Borough of Clayton or between the right-of-way side lines of any public street or thoroughfare therein unless they do so in compliance with Section 81-2.2 of this Chapter. Nothing herein contained shall be deemed to prohibit the placing, keeping or storage of any such article in an enclosed building.

Section 2. Chapter 81, Storage, Outdoor, hereby amended to add Section 81-2.2, Temporary Storage Units, Trailers and Pods:

§81-2.2(A) **Definitions.**
For the purpose of this chapter, the following terms shall have the meanings ascribed to them herein:

STORAGE TRAILER OR PODS

A transportable unit designed and used primarily for temporary storage of materials, goods, household goods, or other such items of personalty, stored on a temporary basis, also known as portable on-demand storage structures, mobile storage structures, portable home storage units, storage trailers, box car or mobile trailers.

§81-2.2(B) **Permits.**
(1) A storage trailer or PODS unit may be located in any detached single-family residential zoning district or approved detached single-family use within any zoning district, subject to the conditions set forth herein. Prior to the placing of a storage trailer or PODS unit on property which a person owns, rents, occupies or controls, a permit must be obtained from the

Borough Construction Office. The fee for such a permit is \$25.00 for a residential property and \$50.00 for a commercial property.

(2) A permit for a storage trailer or PODS unit will be valid for a period of 31 days. A permit obtained for such a storage unit to be used during construction on residential property where the unit is located may be renewed for up to five additional thirty-one-day periods for a maximum period of six months. Application for renewal must be made prior to the expiration of the existing permit. Renewal shall be at the discretion of the Code Enforcement Officer and shall require proof of a current building permit for the property.

(3) Only one permit per property, including all renewals of said permit, shall be granted during a twelve-month period.

§81-2.2(C) General restrictions and requirements for residential property.

(1) Only one storage trailer or PODS unit may be placed on a residential property at one time.

(2) A storage trailer or PODS unit located on a residential property must be located immediately adjacent to or in the property driveway at the furthest accessible point from the street.

(3) No hazardous material or organic waste shall be placed in a storage trailer or PODS unit.

(4) No storage trailer or PODS unit located at a residential property shall be used for the storage of construction debris, business inventory, commercial goods or goods for property other than the residential property where the unit is located. Upon reasonable notice to the applicant, the Borough may inspect the contents of any storage trailer or PODS unit for compliance with this chapter.

(5) It shall be the responsibility of the applicant to ensure that the storage trailer or PODS unit is maintained in a good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks.

(6) No storage trailer or PODS unit shall exceed 8 feet in height, 24 feet in length, and 8 feet in width.

(7) Upon reasonable notice to the applicant, the Township may inspect the contents of any storage trailer or PODS unit for compliance with this chapter.

§81-2.2(D) Placement of storage trailers or PODS units in other zoning districts.

(1) The use of storage trailers or PODS units in zoning districts other than the residential districts set forth above is subject to the zoning requirements of the zoning district in which the property is located. Prior to the placing of a portable storage area on property which a person owns, rents, occupies or controls, a permit must be obtained from the Clayton Borough Construction Office. The fee for a permit for a storage trailer or PODS unit in other than the residential districts set forth above (commercial and industrial zoning districts) is subject to a fee for a permit as provided in Section 81-2.2(B).

(2) A permit for a storage trailer or PODS unit in a commercial or industrial zoning district will be valid for a period of one year. No permit renewals are to be granted after one year. No permit is required if the storage trailer or PODS unit, and the placement of said unit, is part of an approved site plan by the Zoning or Planning Board of the Borough of Clayton.

(3) One permit for each storage trailer or PODS unit is required.

§81-2.2(E) General restrictions and requirements for commercial or industrial property.

(1) Storage trailers or PODS units may be placed on a commercial or industrial property only at a designated location as approved by the Borough Construction Office. A sketch plat shall be provided to the Construction Office designating the specific area where any storage trailer(s) or PODS unit(s) shall be located.

(2) A storage trailer(s) or PODS unit(s) shall only be located on the property at a location which does not impede the flow of vehicular or pedestrian traffic on said property, and does not interfere with the ingress and egress from said property.

(3) No hazardous material or organic waste shall be placed in a storage trailer or PODS unit.

(4) No storage trailer or PODS unit shall be used for the storage of construction debris or any goods or materials other than that of the commercial or industrial business where the unit is located. Upon reasonable notice to the applicant, the Borough may inspect the contents of any storage trailer or PODS unit for compliance with this chapter.

(5) It shall be the responsibility of the applicant to insure that the storage trailer or PODS unit is maintained in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks.

(6) No storage trailer or PODS unit shall exceed 8 feet in height, 24 feet in length, and 8 feet in width.

(7) Upon reasonable notice to the applicant, the Township may inspect the contents of any storage trailer or PODS unit for compliance with this chapter.

§81-2.2(F) Enforcement; violations and penalties.

Any person who violates any of the provisions of this chapter shall be subject to the removal of the storage trailer or PODS unit at the expense of the applicant, and/or the penalties including imprisonment and/or fines not to exceed \$500.00.

Section 3. Repealer

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.


BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon formal approval by the Clayton Borough Council and publication as required by law.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

**BOROUGH OF CLAYTON
NOTICE OF INTRODUCTION**

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TAKE NOTE that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on July 11, 2019 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 7:30 p.m. on August 8, 2019, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER of the Mayor and Council of the Borough of Clayton.

Christine Newcomb
Borough Clerk

**BOROUGH OF CLAYTON
NOTICE OF ADOPTION**

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The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on August 8, 2019.

Christine Newcomb
Borough Clerk