

**ORDINANCE 2022:1514**

**BOROUGH OF HADDON HEIGHTS**

**AN ORDINANCE OF THE BOROUGH OF HADDON HEIGHTS REGULATING THE USE OF OUTDOOR STORAGE OF PERSONAL PROPERTY, INCLUDING PORTABLE STORAGE UNITS ("POD") OR SIMILAR STORAGE CONTAINERS, WHICH ARE TYPICALLY RENTED TO OWNERS OR OCCUPANTS OF PROPERTY FOR THEIR TEMPORARY USE AND WHICH ARE DELIVERED AND REMOVED BY VEHICLE**

**WHEREAS**, the Mayor and Borough Council of the Borough of Haddon Heights desire to regulate the use of outdoor storage of personal property, include portable storage containers ("POD") or the like; and

**WHEREAS**, the Mayor and Council has deemed it in the best interest of the public health, safety and welfare to establish Chapter 340 of the Code of the Borough of Haddon Heights.

**NOW, THEREFORE**, be it Ordained by the Mayor and Council of the Borough of Haddon Heights, County of Camden and State of New Jersey as follows:

**SECTION 1:** Chapter 340 is hereby created for the purpose of regulating the use of outdoor storage of personal property, include portable storage containers ("POD") or the like, as follows:

**Chapter 340. Portable Storage Units**

**§ 340-1. Definitions.**

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

**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.

**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.

**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 Haddon Heights.

**§ 340-2. Placement.**

A. No portable storage unit shall be placed or maintained by any private person or entity in or on any Borough property, street or right-of-way without a valid permit issued by the Chief of Police.

B. No portable storage unit shall be placed or maintained on any private property unless it complies with one or more of the following provisions:

- (1) 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.
- (2) 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.

**§ 340-3. 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.

A. Application for a permit shall be made to the Borough Construction Official on a form provided by the Borough. 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 of \$25.

B. Any portable storage unit placed on private property shall be placed on a suitable base to assure stability. If, in the opinion of the Police Department or the Borough Engineer, 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 Police Department or the Borough Engineer and noted on the permit at the time of its issuance or at any time thereafter.

C. Any permit issued for placement of a portable storage unit on private property shall be valid for a period of 30 days, and a sticker or notice shall be prominently displayed on the portable storage unit or on the property upon which the unit is placed indicating the commencement and expiration dates of the permit.

D. Upon a showing of continued need for the portable storage unit (such as during the course of major construction projects), the Construction Official 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 of \$25 for each renewal.

E. An application for an additional extension beyond the time periods specified in Subsection D may be made to the Construction Official or his designee on a form provided by the Borough. 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 of \$50.

- (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 Construction Official 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.

**§ 340-4. General restrictions and requirements.**

A. 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.

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

C. 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 Borough may inspect the contents of any portable storage unit for compliance with this chapter.

D. 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.

E. A portable storage unit shall be no larger than 130 square feet in area and no higher than 10 feet above grade.

**§ 340-5. Responsibility for compliance.**

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.

**§ 340-6. Violations and penalties.**

A. 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. 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 penalty provisions set forth below.

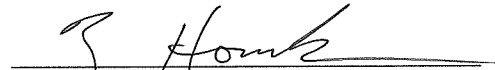
B. Any person who violates any provision of this chapter shall, upon conviction in Municipal Court or any other court having jurisdiction, be liable for a fine not exceeding \$2,000, or imprisonment for a term not exceeding 90 days, or community service for a term not exceeding 90 days, or any combination of the above.

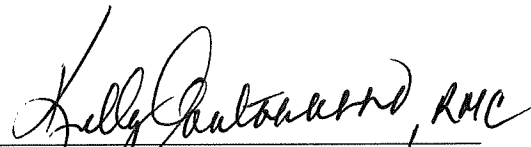
**SECTION 2:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 4:** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Introduced: JANUARY 18, 2022  
Public Hearing: FEBRUARY 1, 2022  
Adopted: FEBRUARY 1, 2022

  
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Mayor Zachary Houck

ATTEST:   
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Kelly Santusosso, RMC, Borough Clerk