

ORDINANCE NO. 8 -2023

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF LOGAN
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY, AMENDING ARTICLE III OF
CHAPTER 84 ENTITLED "DUMPSTERS AND PORTABLE STORAGE UNITS" TO THE
CODE OF THE TOWNSHIP OF LOGAN

WHEREAS, the Mayor and Council of the Township of Logan have determined that certain amendments to Chapter 84 entitled "Dumpsters and Portable Storage Units" are necessary; and

WHEREAS, in all other respects Chapter 84 entitled "Dumpsters and Portable Storage Units" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Logan, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 84 entitled "Dumpsters and Portable Storage Units" shall be amended as follows:

Article III. Use and Placement of Portable Storage Units or Containers ~~in Public Areas~~

§ 84-14. Definitions

As used in this article, the following terms shall have the meanings indicated:

PERSONAL PROPERTY — Any movable item or thing that is subject to ownership.

~~PORTABLE STORAGE UNIT OR CONTAINER - Any container designed for the storage of personal property that is typically rented to owners or occupants of property for their temporary use and which is customarily delivered and removed by truck. For the purpose of this article, a portable storage unit may also be identified as simply a "unit(s)."~~

A container that is placed or used on a property for on-site storage, sea containers, shipping containers, cargo container, Conex box, semi-truck trailer body or Portable Storage On Demand or PODS is a familiar trade name for such containers. Portable storage containers are generally placed on a property for the purpose of storing materials and/or personal property, including any container, storage unit, shed-like container or other portable structure that can be, or is used for storage of any property and which is located for such purposes outside, other than an accessory building or shed complying with all building codes and land use requirements. Such containers shall not be considered a building or accessory structure.

PUBLIC AREA — Includes any street, sidewalk, highway, public lane, alley, right-of-way, Township parking lot or other public place in the Township.

§ 84-15. Permit required.

- A. No person shall place or utilize a portable storage unit, or permit a portable storage unit, or container to be placed on or along a public area in the Township of Logan without first having obtained a permit from the Zoning Office after written approval from the Police Department.
- B. No person shall place or utilize a portable storage unit, permit a portable storage unit, or container to be placed on residential property in the Township of Logan without first having obtained a permit from the Zoning Office.

§ 84-16. Application for permit; fees; conditions or issuance.

- A. Application for a portable storage unit shall be made by submission of the following information to the Township Zoning Office:
 - (1) Name and address of the applicant and the owner of the property, if different.
 - (2) Street address.
 - (3) Size of the portable storage unit to be placed at the site and the proposed location of the portable storage unit.
 - (4) Anticipated length of time the portable storage unit will be located at the site.
- B. In a residential zone district, the permit shall be valid for a period of seven ~~twenty-one (21)~~ calendar days and may be renewed upon application to the Zoning Office ~~after written approval from the Police Department~~ for additional seven-day periods not to exceed a total period of ~~24~~ thirty-five (35) days per calendar year.
- C. In any public area, road or right-of-way, the permit shall be valid for a period of seven (7) calendar days and may be renewed upon application to the Zoning Office after written approval from the Police Department for additional seven-day periods not to exceed a total period of twenty-one (21) days per calendar year.
- ~~C~~D. A permit may be revoked at any time during its approved term if the placement or use of the portable storage unit or container constitutes a hazard to the health, safety or welfare of the citizens of the Township of Logan or for any other reason that constitutes a nuisance.
- ~~D~~E. No permit shall be issued if the Police Department or the Fire Department determines that the issuance of a permit will constitute a danger to the public safety or an unwarranted interference with the efficient movement of traffic.
- F. The fee for a permit shall be \$20.00.
- G. No more than one (1) portable storage unit or container may be placed upon the property at one time.
- H. A portable storage unit or container may not exceed 8 feet in height, 8 feet in width or 16 feet in length.

§ 84-17. Location, placement and condition of portable storage units or containers.

- A. Portable storage units or containers may be located in residential zoning districts. Except as provided herein, they shall not be placed in a public area, and shall be set back a minimum of 10 feet (10') from any property line and ten feet (10') feet from the front curb or edge of roadway, if no curb exists. Final placement shall be to the approval and satisfaction of the Zoning Officer.
- B. Portable storage units may be allowed in nonresidential zoning districts. The units shall be placed only in the rear or side portion of a site. Under no circumstances shall a portable storage unit be placed in an area fronting a street or road or in a grass/landscaped area or in the front parking lot of a commercial establishment. The placement of portable storage units in fire lanes, passenger loading zones, commercial loading zones or public rights-of-way shall be strictly prohibited. Applicants for portable storage units in nonresidential zoning districts must also demonstrate, to the satisfaction of the Zoning Officer, that the specific location/ complex has sufficient space to place a portable storage unit and continue to provide adequate parking and public safety access and to comply with all health, safety and welfare concerns.
- C. Portable storage units shall never be utilized as accessory structures in any zoning district.
- D. The owner, ~~and operator,~~ tenant or occupant of any site on which portable storage unit or container is placed shall be responsible for ensuring that ~~his or her~~ the portable storage unit or container is in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing or other holes or breaks. When not in use, the portable storage unit or container shall be kept locked with a combination-style lock (no key locks). The owner, ~~and operator,~~ tenant or occupant of any site on which a portable storage unit or container is placed shall also be responsible that no form of waste, refuse or hazardous substance is stored or kept within the portable storage unit or container.
- E. A portable storage unit or container shall have no signage other than a serial number identifying the unit and the name, address and telephone number of the person or firm engaged in the business of renting or otherwise placing the portable storage unit or container on the property.

§ 84-18. Violations and penalties.

~~Each day a portable storage unit is placed or utilized in violation of the terms of this article shall constitute a separate offense. Each offense hereunder is punishable by a fine of not more than \$100 per day.~~

- A. Any portable storage unit or container placed in violation of this Article or which is not removed at the end of the time for which it may lawfully remain in place, or immediately upon the direction of the Zoning Officer, Police Department or Fire Department for removal of such unit for health or safety reasons, shall be punishable, upon conviction thereof, by a minimum fine of \$100.00 and maximum fine not to exceed \$2,000 for each violation committed hereunder. Every day that a violation continues after service of written notice in person, or by certified and/or regular mail on the owner or occupant of the subject property as shown in the latest tax duplicate shall be deemed a separate offense, retroactive to the initial violation date.

B. The court may also order the removal of the violation by the Township, and the cost of such removal, together with the cost of administration of its removal, may be assessed against the property on which the storage unit or container was located and may be filed as a lien against such property by the Tax Collector or Tax Assessor after certification of costs by the governing body. Such lien shall be superior to all other liens or encumbrances upon the property, including the lien of a mortgage, and shall be equal to the lien of ad valorem taxes.

Section 2.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 3.

Repealer.

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

Section 4.

When effective.

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

TOWNSHIP OF LOGAN

BY: _____


FRANK W. MINOR, Mayor

ATTEST:



LINDA L. OSWALD, Municipal Clerk/
ASHLEY GAROZZO, DEPUTY CLERK

First Reading: March 7, 2023

Second Reading: April 4, 2023

Adopted: April 4, 2023

NOTICE

The Foregoing Ordinance was introduced at a regular meeting of the Mayor and Council of the Township of Logan, in the County of Gloucester and State of New Jersey, held on the 7th of March, 2023. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held at the Township Building of Logan, 125 Main Street, Bridgeport, New Jersey on the 4th day of April, 2023, at 7:00 P.M at which time any person who is interested thereon would be given the opportunity to be heard. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office, 125 Main Street, Bridgeport, New Jersey to the members of the general public who shall request the same.



LINDA L. OSWALD, Municipal Clerk