

BOROUGH OF NORTHVALE
State of New Jersey
County of Bergen

ORDINANCE #906-2012

**AMENDING CHAPTER 200 OF THE BOROUGH OF NORTHVALE CODE,
ENTITLED “ZONING”**

An Ordinance of the Borough of Northvale, County of Bergen, State of New Jersey

WHEREAS, the use of Temporary Storage Containers, also referred to as Portable Storage Containers (PSCs), has been increased within the territory of the Borough of Northvale; and

WHEREAS, it is in the best interest of the residents of the Borough of Northvale to regulate the use of such Temporary Storage Containers to maintain the residential quality of the Borough residents as well as visual and environmental impact in the Borough of Northvale;

WHEREAS, the Mayor and Council have determined that the general health, welfare and safety of the residents of the Borough of Northvale will be improved by regulating the time, location, duration, size and content of such PSCs; and

WHEREAS, the Planning Board of the Borough of Northvale has recommended such regulation(s) of Temporary Storage Containers by licensing and zoning to control the use and placement of such PSCS; and

BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Northvale, in the County of Bergen and State of New Jersey, that Chapter 22. ZONING of the Borough of Northvale Code shall be amended to include Article 12. TEMPORARY STORAGE CONTAINERS as hereinafter provided:

Article 12. TEMPORARY STORAGE CONTAINERS

Section 1. Definition.

A “Temporary Storage Container” shall mean a container designed for the outdoor storage of personal property for temporary or permanent use, which is to be delivered and removed by vehicle, excluding cargo containers.

Section 2. Permit required.

No Temporary Storage Container shall be allowed on any private property in the Borough of Northvale unless a Storage Container Permit is issued prior to the placement of such unit for the length of time as provided herein:

1. The owner or occupant of the site where the unit is to be placed shall apply for a Storage Container Permit to the Construction Code Official or his designee. The applicant shall pay, upon issuance of the Storage Container Permit, a required fee of **Fifty Dollars (\$50.00)**.

2. The Storage Container Permit shall be valid for sixty (60) days. Upon the request of the owner or occupant of the site to renew the permit, the Construction Code Official or his designee shall inspect the site where the PSC is located to determine whether such permit should be extended. Such permit may be extended up to four (4) additional thirty (30) day period(s) upon the approval of the Construction Code Official or his designee. An additional fee of **Thirty Dollars (\$30.00)** shall be paid for the extension of such permit for thirty (30)-day additional period. In no event shall a container be placed on any site in the Borough of Northvale for more than one hundred eighty (180) days without approval of the Zoning Board of Adjustment, said approval to be in the form of a duly adopted and memorialized resolution authorizing said container for a period in excess of the one hundred eighty (180) day aggregate limit set forth herein.

3. No such permit shall be issued to any user who is in violation of any zoning or property maintenance ordinance of the Borough of Northvale. Furthermore, the owner or occupant of any property upon which a PSC is in place upon the effective date of this section shall be required to obtain a permit under this section within thirty (30) days of the effective date hereof.

Section 3. Violations and Penalties.

1. Any person who allows, keeps, places and/or maintains a Temporary Storage Container on a site within the Borough of Northvale without obtaining a Storage Container Permit pursuant to Section 2 of this Article shall be in violation this Chapter.

2. A violation of this Article is a petty disorderly person's offense punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) per day, or by imprisonment for a period not exceeding ninety (90) days, or both. The imposition of one (1) penalty for any violation of this Chapter shall not excuse the violation or permit it to continue, and each day that prohibited conditions continue shall constitute a separate offense.

Section 4. Regulations.

1. Location. A Temporary Storage Container shall be placed only in the driveway, allotted off street parking spaces, or upon an asphalt, concrete or other improved surface on the property. The following provisions shall also apply:

- a. No more than one Temporary Storage Container shall be permitted on any single tax map lot.
 - b. No Temporary Storage Container shall be placed in the public easements or rights-of-way, nor shall it obstruct the sidewalk.
 - c. No Temporary Storage Container shall be placed within five (5) feet of a neighboring property line.
 - d. A Temporary Storage Container shall be set back at least fifteen (15) feet from the principal building on the lot.
 - e. No Temporary Storage Container shall occupy an area greater than five per cent (5%) of the total lot area at which it is located.
 - f. The owner or occupant of the site where the unit is to be placed shall utilize existing buffers when determining the location for a Temporary Storage Container to screen the container from adjoining properties.
 - g. A Temporary Storage Container shall not obstruct circulation for vehicles, particularly emergency vehicles.
 - h. A Temporary Storage Container shall not be placed in an area where its placement may reduce parking to a level inconsistent with the Code of the Borough of Northvale and the Residential Site Improvement Standards (RSIS).
2. Size. No Temporary Storage Container shall exceed eight (8) feet in height, eight (8) feet in width and sixteen (16) feet in length.
3. Use. A temporary Storage Container shall be utilized on private property only for the limited purpose of temporarily storing common household items such as furniture, clothing or other household belongings, coming from or to a structure on the property that is being renovated or sold.
- a. The following items are expressly prohibited from being stored or kept within a Temporary Storage Container: hazardous substances, including chemical, flammable or explosive materials, firearms, ammunition, prescription drugs or narcotics, any material or contraband the possession of which is unlawful, food, other than as packaged for sale in cans, jars or bottles and for use by the occupant of the dwelling upon the lot where the unit is permitted, and solid waste, recyclables, construction or demolition debris, commercial items or property for use other than at the premises where the unit is located.
 - b. In no event shall a Temporary Storage Container be used for temporary habitation of humans or animals.
4. Signage. All Temporary Storage Containers shall comply with the following:
- a. A Temporary Storage Container shall have no signage other than the name, address and telephone number of the person or entity engaged in the business of renting or otherwise placing the unit.

- b. The sign shall be permanently adhered to, or painted on, a Temporary Storage Container, and the container shall have no more than one sign attached to a side, and no more than two signs total.
 - c. A sign attached to a Temporary Storage Container shall be no larger than fifteen per cent (15%) of the area of the side to where it is attached.
5. **Lighting.** There shall be no lighting fixtures attached to a Temporary Storage Container, nor shall any lighting fixture be solely utilized to light a container.
6. **Maintenance.** A Temporary Storage Container shall be in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing, or other holes or breaks. When not in use, the container shall be locked at all times. All Temporary Storage Containers used in the Borough of Northvale shall be equipped with floors that prevent the intrusion of rats or other vermin into the unit.

Section 5. Fines and Penalties.

Violations of this section, other than for failure to apply for and acquire a valid permit, shall be punishable by a fine of up to \$250 per day for a first violation, up to \$500 per day for a second violation, and up to \$1,000.00 per day for a third or subsequent violation.

Section 6. Invalidity.

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 7. Severability.

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

Section 8. Effective Date.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law. No container in place at the time of adoption shall be exempt from the provisions hereof after thirty days following the effective date hereof.

PAUL J. BAZELA, MAYOR

ATTEST:

Wanda A. Worner
Borough Clerk

Introduced: February 8, 2012

Second Hearing: March 14, 2012

Adopted: _____, 2012