

**BOROUGH OF ROOSEVELT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

**ORDINANCE NO. 20-07
INTRODUCTION DATE: 05-26-2020
ADOPTION DATE: 06-22-2020**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE ZONING ORDINANCES
OF THE BOROUGH CODE TO REGULATE THE PLACEMENT AND USE OF
PORTABLE ON-DEMAND STORAGE CONTAINERS IN RESIDENTIAL ZONES**

C/Esakoff offered the following Ordinance and moved its introduction, which was seconded by **C/Vroman**.

WHEREAS, there has been an increase in the use of Portable On-Demand Storage Containers (“PODS”) and similar temporary storage containers on residential properties within the Borough of Roosevelt, County of Monmouth, State of New Jersey (the “Borough”); and

WHEREAS, the Borough’s Planning/ Zoning Board has recommended that the Borough adopt regulations addressing such storage containers or PODS;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that the Zoning Ordinances of the Borough Code shall be amended and supplemented as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

4.400 GENERAL REGULATIONS.

4.410. Water and Sewer Requirements.

No construction of a building or structure used for a principal use in any zoning district, other than the R-AG district, shall be undertaken in the Borough of Roosevelt unless provision has been made for said building or structure to be connected to the Borough public water and sewerage systems. Buildings or structures in the R-AG zoning district on tracts of land conforming to the standards of that district may utilize on-site water and sewerage systems.

4.420. Cross References.

- a. All uses require off-street parking as noted in Section 6.200.
- b. All uses must comply with site plan review, Section 6.100.
- c. All conditional uses are governed by regulations set forth for the particular use in Article VII. Where no regulation comparable to those contained in this schedule is established in Article VII for a particular use the regulations for permitted uses in this schedule shall govern.

- d. Front, rear and side yard requirements may vary under special circumstances noted in Article V.
- e. Definitions of terms are contained in Article II.

4.430. Short Term Rentals in Residential Zones.

- a. Rentals Less than 30 Days Prohibited. All rentals of residential structures, in whole or part, or individual residences, in whole or part, in the R-40, R-100 and the R-AG 400 Districts for periods of less than thirty (30) days are prohibited.
- b. Other Provisions of the Code Applicable. All other provisions of the Roosevelt Borough Code, including, but not limited to the requirements for a Certificate of Occupancy found in Section 10-2 and Residential Rental Property License found in Section 10-3 remain unaffected by this Section.
- c. Enforcement. Any person, firm or corporation who shall violate any of the provisions of this Section, in addition to any other penalties for violations of other applicable Code provisions, shall, upon conviction, be punished in accordance with Section 11.700.

4.440. Portable On-Demand Storage Containers in Residential Zones.

- a. Definitions. “Portable Storage Container” refers to any portable temporary storage container (“POD”), trailer, storage unit, or portable structure; with or without axles or wheels; without a foundation; designed and used for storage.
- b. Placement. In the R-40, R-100 and the R-AG 400 Districts, a Portable Storage Container may only be placed on an existing off-street driveway, at the location furthest from the street as practicable. The Portable Storage Container may not be placed in the front yard, except on a driveway or on the public right-of-way. The Portable Storage Container must be in good repair and must be kept weed-free around its perimeter. In the event that the driveway does not accommodate a Portable Storage Container of any size available, the Zoning Officer may approve a location contiguous to the driveway or in another location as far from the street as practicable.
- c. Permitted Size. No Portable Storage Container may exceed a maximum height of 10 feet or maximum width of 8 feet or maximum length of 20 feet.
- d. Fees and Permits. To place a Portable Storage Container in the R-40, R-100 or R-AG 400 Districts, an application form must be completed before the Portable Storage Container can be placed. A fee of \$25 must be paid, with an additional \$25 due if the permit is renewed for an additional 30 days. For Portable Storage Containers used in conjunction with active construction, the fee is \$25 for the 6-month term, with an additional \$25 paid for a one-month extension.
- e. Time. Once the application for a zoning permit is filed and the fee is paid, the Portable Storage Container may be in place for 30 days, unless such Portable Storage Container is in conjunction with a building permit for the principal building. Its placement can be renewed for an additional 30 days with the approval of the Zoning Officer. Portable Storage Containers

used in conjunction with an active building permit may be placed for 6 months, with a possible renewal of one additional month with approval of the Zoning Officer.

f. Enforcement. Any person, firm or corporation who shall violate any of the provisions of this Section, in addition to any other penalties for violations of other applicable Code provisions, shall, upon conviction, be punished in accordance with Section 11.700.

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that, after introduction, the Borough Clerk is hereby directed to submit a copy of the within Ordinance to the Planning/Zoning Board of the Borough of Roosevelt for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Borough's Mayor & Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

ATTEST:

APPROVED

Kathleen Hart, Borough Clerk

Peggy Malkin, Mayor