

**BOROUGH OF ALLENDALE  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**ORDINANCE 15-15**

**AN ORDINANCE TO ESTABLISH CHAPTER 238 OF THE CODE OF THE BOROUGH  
OF ALLENDALE ENTITLED "TEMPORARY STORAGE CONTAINERS"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that the following Chapter be adopted and established within the Code of the Borough of Allendale:

**Section 238-1 Purpose**

The purpose of this ordinance is to create a procedure whereby individuals may apply for a permit to allow for the use of temporary storage containers on residential property and to provide for rules, regulations, and restrictions with regard to the use and placement of such temporary storage containers.

**Section 238-2 Definitions**

For the purpose of this article, the following term, phrase, word and its derivation shall have the meaning stated herein.

**Front yard, side yard or rear yard setbacks**

Shall have the meaning as set forth in Chapter 270 of the Code, Zoning.

**Temporary Storage Container**

Outdoor containers commonly referred to as "pods" and/or similar containers used to store personal home furnishings and/or personal items only on a temporary basis during a time of home repair, construction, renovation or relocation.

**Section 238-3 Restrictions**

- A. Temporary storage containers, and other portable structures, including temporary bathroom structures, shall not encroach into the front yard, side yard or rear yard setbacks, but in any event shall not extend beyond the front plane of the house and shall only be permitted on the lot within the driveway area or rear of the dwelling.
- B. Temporary storage containers, and other portable structures, including temporary bathroom structures, shall not obstruct the public right of way.

- C. Temporary storage containers shall be permitted in all residential zoning districts of the Borough of Allendale.
- D. Temporary storage containers shall not exceed 20 feet in length and shall have a maximum of 1,800 cubic feet.

#### **Section 238-4 Permit Procedure**

Prior to the delivery or use of any temporary storage container on residential property, an application must be made to the Zoning Officer for a permit allowing for the delivery and use of such temporary storage container. Such application must include a survey reflecting the proposed location of the temporary storage container on the applicant's property. Permits issued shall allow for the use of such temporary storage container for a period of 90 days, provided, however, that if it shall become necessary to extend said time period beyond the initial 90 days, a property owner may make an application to the Zoning Officer for an extension of time not to exceed an additional 90 days and shall not exceed a total of 180 days. The Zoning Officer is authorized to prepare an application form for use with this Section.

#### **Section 238-5 Application Fee**

There shall be a fee charged for the initial permit of \$125. The fee for an extension permit shall be \$75, payable to the Borough of Allendale.

#### **Section 238-6 Enforcement**

This article shall be enforced by the Zoning Officer, Construction Code Official or such other employee or department of the Borough as designated in writing by the Mayor and Council. In the event adherence to the restrictions set forth in this section 238 shall, in the opinion of the Zoning Officer, Construction Code Official, or such other employee or department as designated in writing by the Mayor and Council to enforce this article, result in undue or substantial hardship to an applicant hereunder, such Officer, Official, employee or department may relax such restrictions as may be necessary.

#### **238-7 Violations and Penalties**

Any person, firm, corporation and/or entity violating or neglecting to comply with any provision in this ordinance shall be subject to a fine up to \$500 for the first offense and \$750 for each and every subsequent offense. Each and every day such violation or noncompliance exists shall constitute a separate offense, and an additional fine shall be imposed as set forth herein.

#### **Section 238-8: Severability**

If any portion of this ordinance is adjudged unconstitutional or invalid by the Court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section 238-9: Repealer**

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 238-10: Effective Date**

This ordinance shall take effect upon passage and publication as required by law.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan			✓			
McSwiggan					✓	
Sasso		✓	✓			
Strauch	✓		✓			
Wilczynski			✓			
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on May 28, 2015

  
Mayor Elizabeth White

  
Deborah L. Fehre, RMC  
Interim Municipal Clerk