

ORDINANCE NO. 16-23

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 412 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF NEPTUNE BY AMENDING THE PROVISIONS FOR TEMPORARY TRAILERS, DUMPSTERS, PORTABLE STORAGE UNITS AND LIKE PORTABLE ON-DEMAND STORAGE CONTAINERS WHEN PLACED ON A PUBLIC ROADWAY WITHIN THE HISTORIC DISTRICT

BE IT ORDAINED by the Township of Neptune of the County of Monmouth in the State of New Jersey that the Land Development Ordinance, Section 412.21, Subsection H, shall be amended as follows (added language is reflected in **bold**):

§412.21 TEMPORARY TRAILERS, DUMPSTERS, PORTABLE STORAGE UNITS AND LIKE PORTABLE ON-DEMAND STORAGE CONTAINERS

- H. Prohibition of dumpsters, portable storage units or like portable on-demand storage containers in certain private property areas and in public areas.
1. It shall be generally unlawful for any person to construct or place a storage container for garbage, such as a “dumpster” or a storage container for portable on-demand storage, such as a portable storage unit as defined in this ordinance upon any front yard of private property or upon any Township owned or unaccepted dedicated street, avenue, highway, lane, alley or public place. No permit shall be issued for such use or storage of dumpsters, portable storage units or like portable on-demand storage containers unless the applicant establishes a hardship by satisfying one or more of the following criteria:
 - (a) Narrowness of distance between property lines making placement of the dumpster, portable storage units or like portable on-demand storage containers elsewhere other than at the front of said private property or at a public area difficult if not impossible.
 - (b) Parking needs affected.
 - (c) Traffic flow affected.
 - (d) Other reasons establishing the necessity of placement on the front of private property or on a public area.
 2. Should the applicant demonstrate a hardship warranting placement of a dumpster, portable storage unit or like portable on-demand storage container on the front yard of private property or on a public area as defined above, the Director of Code

Enforcement shall issue a permit with regards to dumpsters, portable storage units or similar portable on-demand storage containers on a temporary basis, in the case of a dumpster for a period not to exceed ninety (90) days and in the case of a portable storage unit or like portable on-demand storage containers not to exceed thirty (30) days. Extensions cannot be granted for more than the aforesaid time period set unless a longer period is granted by site plan approval before the Planning Board or Zoning Board. Both a permit for a dumpster and a permit for portable storage container shall require a fee of Thirty (\$30.00) Dollars.

3. **Should a permit be issued for the placement of a dumpster, portable storage unit or like portable on-demand storage container on a public area, as defined above in Paragraph 1, within the Ocean Grove Historic District, the dumpster, portable storage unit or like portable on-demand storage container shall not be permitted in the public area on a weekend during the summer season. Weekend shall be defined as between Friday at 3:00 p.m. and Monday at 8:00 a.m. Summer season shall be defined as between the dates of May 15th and September 15th. This prohibition shall extend to Tuesday at 8:00 a.m. should the weekend be followed by Memorial Day, Labor Day or the 4th of July legal holiday.**
4. Any permit may be revoked by the Director of Code Enforcement if it is determined that the existence of the dumpster, portable storage unit or like portable on-demand storage container is affecting traffic flow or affecting the safety or welfare of the public.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

The Ordinance shall become effective immediately upon its final passage and publication as required by law.

APPROVED ON FIRST READING: June 27, 2016

APPROVED, PASSED AND ADOPTED: July 25, 2016

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Kevin B. McMillan,
Mayor