

**THE BOROUGH OF ROCKLEDGE
MONTGOMERY COUNTY, PA**

ORDINANCE NO. 612

AN ORDINANCE OF THE BOROUGH OF ROCKLEDGE ADDING A NEW SECTION TO CHAPTER 5, PART 2 OF THE ROCKLEDGE CODIFIED ORDINANCES (ADOPTING BOCA NATIONAL PROPERTY MAINTENANCE CODE) TO ALLOW FOR THE PLACEMENT OF A PORTABLE ON DEMAND STORAGE UNIT ON A PROPERTY TEMPORARILY AND SUBJECT TO THE LIMITATIONS STATED HEREIN; EFFECTIVE UPON ADOPTION

WHEREAS, the Borough has seen the proliferation of portable on demand storage units as a convenient means of temporarily storing belongings as a part of the process of moving or concurrent with a home renovation or natural disaster, and

WHEREAS, the Borough wishes to permit the use of such storage units, but subject to reasonable limitations as set forth herein,

NOW THEREFORE, the Borough Council of the Borough of Rockledge does hereby ORDAIN as follows:

1. Definitions.

Portable Storage Unit (also known as “Portable On-Demand Storage Units” or “PODS”) – Portable containers that are placed on or in front of a property for the purpose of storing, loading, or unloading furniture, clothing, or other personal or household belongings as part of the process of renovation or moving, the relocation of belongings to an off-site commercial storage location, or on-site storage in the aftermath of the property being affected by a natural disaster. Unlike trailers typically attached to semi-trucks for transport, portable storage units must be no larger than 8’ X 8’ X 16’.

2. Permit required; application; insurance; fee.

Before placing a portable storage unit on his or her property, a person must submit an application and receive a permit from the Borough. An insurance certificate providing liability insurance in the amount of \$100,000 provided by the company supplying the portable storage unit must accompany the application, with the Borough of Rockledge named as an additional insured party. However, this is not required to be submitted if the Borough already has a certificate from the same company on file that was submitted within the past calendar year. The permit fee is as follows: \$35.00 for on-street placement and \$10.00 for off-street placement of a POD. Applications shall be obtained from the Code Enforcement office.

3. Duration.

Permits will be granted for a period of 30 days for off-street placement and for a period of five days for on-street placement. Portable storage units shall be permitted for a

maximum of 30 days in any one twelve-month period (per property) for off-street, and five days for on-street.

4. Location.

Portable storage units are prohibited from being placed on an unpaved area in the front yard of a property. Portable storage units kept on-site must be kept in the driveway or paved, off-street surface on the property at the furthest accessible point from the street. Where possible, the unit shall be placed on a paved surface to the rear or side of the principal structure. When placed on the driveway or paved area in the side or rear yard, portable storage units shall be located at least ten feet from any property line, space permitting.

If there is no driveway, the portable storage unit must be located in front of the property on the street. If placed in the street, portable storage units must have flashing barricades stationed at either end, in such a way that the unit does not extend farther into the street than the flashing barricades. Reflectors shall be placed on the sides of the unit visible from the street. In no case may the portable storage unit create a sight obstruction for vehicular or pedestrian traffic, nor block sidewalks. The Borough Code Enforcement Officer may require adequate safety mitigation measures in conjunction with the portable storage unit be undertaken by the applicant where necessary.

5. Number of units.

Only one portable storage unit may be placed at any property at one time. If multiple units are used sequentially on a property, the permit shall apply to all cumulatively.

6. Use during natural disaster.

The above restrictions notwithstanding, when the principal structure on the property has been made uninhabitable as a result of a natural disaster for which a local state of emergency declaration has been issued, or a fire or other damaging event beyond the control of the owner, one or more portable storage units may be used for on-site storage. The authorization for such use shall be dependent on issuance of a building permit for the reconstruction/repair of the principal structure(s) on the property and shall expire upon issuance of a Certificate of Occupancy for the principal structure(s) or twelve months from the date of the event that damaged the structure, whichever occurs first. For good cause shown and to recognize extenuating circumstances, the Code Enforcement Officer may extend the authorization for as much as an additional 12-month period or until a Certificate of Occupancy is issued, whichever occurs first. In cases of natural disasters, the portable storage units must be located off-street.

7. Advertising. Advertising is prohibited on a portable storage unit, with the exception of the name and phone number of the unit's supplier, which is required.

8. Hazardous materials. The use of portable storage units for storage of hazardous materials is prohibited. The Borough Code Enforcement Officer may inspect the portable storage unit to ensure no such materials are being stored inside.

9. Condition of Portable Storage Unit. A portable storage unit with holes, breaks, tears, or large areas of rust, in the opinion of the Code Enforcement Officer, may not be placed on or in front of any property.

10. Violations and penalties.

Any person who shall place a portable storage unit in violation of this article shall, upon conviction before a District Justice, be sentenced to pay a fine not exceeding \$300.00, together with the costs of prosecution.

11. Relationship of Ordinance to Property Maintenance Code.

If the provisions of this ordinance are found to be inconsistent with any portion of the BOCA National Property Maintenance Code or any other nationally recognized property maintenance code that may be adopted by the Borough, the provisions of this Ordinance shall control. All portions of the BOCA Code otherwise remain in full force and effect.

This ordinance is effective immediately upon adoption. SO ORDAINED this ___ day of _____, 2009.

James Caffrey, Council President

ATTEST: _____
Grace Metzinger, Secretary

APPROVED: _____
Harold Praediger, Mayor