

BOROUGH OF BOUND BROOK

ORDINANCE 2017-31

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI, LAND USE, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO INCLUDE ADDITIONAL AND AMENDED DEFINITIONS AND RULES GOVERNING ACCESSORY BUILDING

SECTION 1: CHAPTER XXI of the General Revised Ordinances of the Borough of Bound Brook, entitled LAND USE, Section 21-2 “Definitions” and Section 21-10.2 “General Provisions” is hereby amended and supplemented by inserting the text **underlined and marked in bold** to read as follows:

21-2 DEFINITIONS.

Accessory Building shall mean a building or structure on the same lot with and subordinate to a principal building occupied or devoted exclusively to an accessory use. Where an accessory building is attached to a principal building by a breezeway, roof, wall or the like, such accessory building shall be considered part of the principal building. The maximum height of the structure shall be one and one half (1 1/2) stories or eighteen (18') feet, whichever is less and shall not be larger than the principal structure. **For purposes of this chapter, an Outdoor Storage/Cargo Container, as defined in this Chapter of the Borough Municipal Code, shall not be considered an accessory structure.**

Outdoor Storage/Cargo Container (a/k/a Shipping Containers) This shall mean an industrial, standardized reusable outdoor storage/shipping container

- a) **originally, specifically or formally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities and presently utilized for those purposes or for storage of household items and/or,**
- b) **designed for or capable of being mounted or moved on a rail car and/or,**
- c) **designed for or capable of being mounted on a chassis or bogie for movement by truck, trailer or loaded on a ship and/or,**
- d) **intended to or necessary, for purposes of safety, to be placed upon a foundation and, therefore, constituting an accessory structure and/or,**
- e) **having a length greater than 10 ft. and/or,**
- f) **being of heavy gauge steel construction, aluminum or a composite material.**

“PCPSF” A Portable Containerized Property Storage Facility or unit shall mean a storage unit (commonly referred to as a “pod”) not exceeding 10 ft. in length,

intended to be utilized upon the exterior of residential premises for the purpose of storing all types of items of personal and household property either for pure storage or to facilitate the moving of persons from household unit to household unit.

21-10.2 General Provisions.

e. Accessory Buildings or Structures. No accessory building or structure shall be built on any lot on which there is not a principal building or structure.

The following requirements shall be met in all zones:

7. Garages in Residential Zones. A garage as an accessory use may be conducted on a single lot in any residential zone district.

(a) Boats, house trailers, **campers/motor homes**, travel trailers, or other trailers measuring more than twenty-four (24') feet must be in an enclosed garage. Anything measuring twenty-four (24') feet or less shall be stored in a driveway at the rear or side yard **as outlined in 21-10.2k. Outdoor Storage.**

k. Outdoor Storage.

1. Outdoor storage of any kind or nature, except storage of those items customarily used in conjunction with a residential occupancy, is prohibited in all residential zones. In all cases, any storage in the side yard area must be at least ten (10') feet from the property line **or in accordance with side and rear yard setbacks whichever is greater.**

2. In all nonresidential zones and for all nonresidential uses, outdoor storage is only permitted in the side and rear yards as herein regulated. No article, equipment, vehicle, supplies or materials shall be kept, stored or displayed outside the confines of any building unless and until the same is screened by special planting or fencing, as approved by the Planning Board, and maintained in good condition, so that it shall not be visible from any adjacent property or public street.

3. Where retail sales of new or used motor vehicles is permitted, the storage or display of such vehicles shall be screened from the street and abutting properties. Screening shall be by a solid six (6') foot high fence along side and rear property lines and shall be by a landscaped planting (maintained by thirty (30") inch height) in the front yard area.

4. In all residential zones, the outdoor storage of boats, house trailers, campers/motor homes, travel trailers, or other trailers measuring over twenty-four (24') feet is prohibited. The outdoor storage of boats, house trailers, campers, travel trailers, or other trailers measuring twenty-four (24') feet or less shall be limited to no more than one (1) total unit (Boat or House Trailer or Camper or Travel Trailer, or other Trailer measuring twenty-four (24') feet or less) per property and must be stored in a driveway at the rear or side yard.

A. No boat, house trailer, campers/motor home, travel trailer, or other trailer shall be located (stored) within the setback area of an abutting dwelling as reflected in Chapter XXI (Land Use) of the Borough Municipal Code.

B. Boats as described in this section and open trailers stored outside must be covered. Covers must be in good condition with no holes and properly secured.

C. All trailers, campers/motorhomes, travel trailers, or other trailers as described in this section must be registered and in good condition.

5. Outdoor storage/cargo (aka shipping containers) containers are prohibited in all zoning districts.

6. "PCPSF" - Portable Containerized Property Storage Facility or unit shall be permitted in all zones provided:

A. Unit is registered with the Borough Code Enforcement Department. Property owner must provide: Unit information, length width and height of unit, location on property, date of delivery and date of anticipated removal. Anticipated removal date not to exceed 90 days. Renewal of registration may be permitted upon by the Code Enforcement Officer. Registration fee of \$25.00 payable to the Borough of Bound Brook.

B. Location: No PCPFS shall be located within the setback area of an abutting dwelling as reflected in Chapter XXI (Land Use) of the Borough Municipal Code.

C. Time & Unit Limit: No more than one (1) PCPFS shall be located on specific residential premises and for period not to exceed 90 days from date of delivery.

D. Other requirements. The following requirements shall be met by the owner / or occupier of the residential premises with respect to a PCPFS:

1. The PCPFS situated on residential property shall only be used for the storage of personal property, furniture and household items normally located on or in a residential dwelling or premises and shall upon written notification of the Township be subject to inspection.

2. All such PCPFSs shall:

i) not have a height in excess of 7 ft. nor a length of more than 10 ft nor a width of more than 8 ft.

ii) All access doors shall be secured with locks.

7. Garbage Containers (over 100 gallon capacity)/Dumpsters shall be permitted in all zones provided:

A. Garbage Container/Dumpster is registered with the Borough Code Enforcement Department. Property owner must provide: Unit information, length width and height of unit, location on property, date of delivery and

date of anticipated removal. Anticipated removal date not to exceed 90 days. Registration fee of \$25.00 payable to the Borough of Bound Brook.

B. Location: No Garbage Container/Dumpster shall be located within the setback area of an abutting dwelling as reflected in Chapter XXI (Land Use) of the Borough Municipal Code.

C. Time & Unit Limit: No more than one (1) Garbage Containers (over 100 gallon capacity)/Dumpsters shall be located on specific residential premises and for period not to exceed 90 days from date of delivery.

D. EXCEPTIONS:

i) Garbage Containers/Dumpsters (for large construction projects) exceeding one (1) per property and exceeding 90 days may be permitted by the Construction Official. Registration fee waived.

ii) Garbage Containers/Dumpsters as permitted for commercial use (restaurants, retail businesses, etc.). Quantity, size, location and storage parameters to be determined by land use board and detailed in final site plan resolution.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

Approved:

Mayor Robert P. Fazen

Attest:

Donna Marie Godleski, Municipal Clerk

Date of Introduction: October 24, 2017

Date of Adoption: