

MUNICIPALITY OF PENN HILLS

Ordinance No. 2017 - 2592

AN ORDINANCE OF THE MUNICIPALITY OF PENN HILLS, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING SECTIONS 3.2 AND 10.5.E OF ORDINANCE 2420 THE PENN HILLS ZONING ORDINANCE TO REGULATE PORTABLE STORAGE CONTAINERS IN RESIDENTIAL AREAS

WHEREAS, The Pennsylvania Municipalities Code, 53 Pa. Stat. 10201 (et seq.) authorizes Municipalities to adopt regulations to protect the public health, safety, and welfare; and

WHEREAS, the use of Portable Storage Containers has proliferated such that it is impacting the public health, safety, and welfare within the Municipality of Penn Hills; and

WHEREAS, the Mayor and Council of the Municipality of Penn Hills desire to establish regulations to control the use, size, and location of such Portable Storage Containers in residential areas within the Municipality.

NOW, THEREFORE, the Mayor and Council of the Municipality of Penn Hills hereby ordain and enact by its authority that:

SECTION 1. Section 3.2 of Ordinance 2420 of the Penn Hills Zoning Ordinance Definitions is amended as follows to insert the following underlined text:

Accessory Use or Structure (Residential)

I. Portable Storage Containers

SECTION 2. Section 3.2 of Ordinance 2420 of the Penn Hills Zoning Ordinance Definitions is amended as follows to insert the following text:

Portable Storage Containers, PSC - Any portable container, storage unit or other portable structure that is leased and used for the temporary storage of personal property relating to the residential premises on which it is located for the purpose of storing and/or moving household materials.

SECTION 3. Section 10.5.E of Ordinance 2420 of the Penn Hills Zoning Ordinance Permitted Obstructions in Required Yards is amended as follows to insert the following text:

(4) Portable Storage Containers - Portable storage containers may only be used in compliance with this subsection.

a. Definitions.

1. As used in this subsection, the following terms shall have the meanings indicated:

PORTABLE STORAGE CONTAINERS, PSC UNIT, OR PSCs

Any portable container, storage unit or other portable structure that is leased and used for the temporary storage of personal property relating to the residential premises on which it is located for the purpose of storing and/or moving household materials.

b. Registration.

1. Before placing a PSC unit on any residential property, a person shall register the date of the proposed placement and the intended location of the PSC unit with the Department of Code Enforcement.
2. A onetime fee of \$25.00 will be required at the time of registration.

c. Duration.

1. PSC units may remain in place a maximum of 14 days from the date of placement.
2. In the event the PSC unit is not going to be removed at the expiration of the 14-day period, the property owner shall submit a written extension request to the Department of Code Enforcement. Code Enforcement, may at its discretion, grant extension requests for good cause shown and demonstrated.

d. Contents.

1. PSCs shall be used for the temporary storage of personal property relating to the premises on which the unit is located only. No storage of any commercial or business-related items is permitted.
2. Hazardous materials including flammable and biohazard substances shall not be stored in the containers.

e. Location.

1. PSC units must be placed on paved off-street surfaces.
2. PSC units shall not be located in any setback areas, required open space, landscaped area, on any sidewalk or trail, or in any location that blocks or interferes with any vehicular and/or pedestrian circulation, and shall be located in accordance with all applicable building and fire code regulations for the purpose of ensuring safe ingress and egress to dwellings, access to utility shut-off valves, and for fire protection. Such containers shall also be subject to any applicable sight distance provisions.

f. Number, size and condition.

1. No more than one PSC unit may be placed on any residential property at one time.
2. No PSC shall exceed a maximum size of eight feet by eight feet by 16 feet (124 square feet).
3. All PSCs shall be in a condition free from rust, peeling paint and other forms of deterioration. The PCS unit shall be maintained so that it is rodent, vermin and insect free.

g. Advertising.

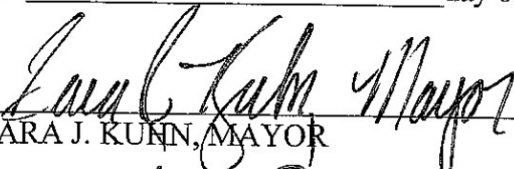
1. The PSC unit may not contain advertising beyond the identification of the company name and phone number of the company which placed the container on the property.

SECTION 3. AUTHORIZATION. That the Penn Hills Mayor and Municipal Manager are hereby authorized to sign all documentation required to proceed with this ordinance.

SECTION 4. SEVERABILITY. It is hereby declared to be the intent of the Council of the Municipality of Penn Hills that several provisions of this Ordinance are separable. If any Court of competent jurisdiction shall declare any words, sentences, sections or provisions of this Ordinance to be invalid, such a ruling shall not affect any other words, sentences, sections or provisions of this Ordinance not specifically included in said ruling.

SECTION 5. REPEALER. All Ordinances or parts of Ordinances, in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such conflict.

THIS ORDINANCE APPROVED AND ADOPTED BY THE MAYOR AND
COUNCIL OF THE MUNICIPALITY OF PENN HILLS on
this 17th day of JANUARY, A.D., 2017.


SARA J. KUNN, MAYOR

JANUARY 17, 2017

DATE


MOHAMMED RAYAN, MANAGER

JANUARY 17, 2017

DATE

SEAL

MEMO

Penn Hills Dept of Planning & Economic Development

To: Mayor and Council

From: Chris Blackwell, Director

CC: Meg Balsamico
Mohammed Rayan



Date: November 18, 2016

Re: An Ordinance regulating Portable Storage Containers

The Department of Code Enforcement and the Department of Planning and Economic Development work closely together to protect the public health, safety and welfare. When new issues arise that cause concerns for residents they submit complaints to the Department of Code Enforcement. The Department of Code Enforcement is armed with a variety of ordinances and codes that they use to support their position and assist them in resolving the complaint. At this time, there is no ordinance in place to regulate Portable Storage Containers like PODS.

We receive a variety of complaints about them including the length of time they are left on the site, location including blocking the street, and the number of Portable Storage Containers on a property at one time. We believe this ordinance will resolve these issues.

The Ordinance before you requires that the Portable Storage Containers be placed on paved off street surfaces, may remain on a property for a maximum of 14 days, and be registered with the department of Code Enforcement.

Following discussion with Code Enforcement, the Planning Commission, Allegheny County Economic Development and your discussion on April 18, 2016, I offer the following ordinance for your approval.