



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-22-16

AMENDING CHAPTER 21, PART IV, ARTICLE XIV, SECTION 81 OF THE CODE OF THE BOROUGH OF HIGHLANDS, ENTITLED "OUTDOOR STORAGE"

WHEREAS, pursuant to N.J.S.A. 40:48-1, et seq. authorizes local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

WHEREAS, the Governing Body of the Borough of Highlands has determined that it is in the best interest of the residents of the Borough to amend the Borough Code, Section 21-81 regarding outdoor storage, to prohibit the storage of construction equipment and other similar devices on residential properties.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

Section 1. Chapter 21, Section 81 of the Borough Code of the Borough of Highlands, entitled "Outdoor Storage" shall be amended to read as follows (additions are shown with **underlines**, and sections that remain unchanged are omitted below):

21-81 OUTDOOR STORAGE

A. Residential Districts.

[SUBSECTIONS 1 THROUGH 3 – NO CHANGE.]

4. The storage of commercial vehicles, commercial equipment, and construction equipment shall be prohibited, subject to the following exceptions:

a. Commercial vehicles, commercial equipment, and construction equipment may be stored on site for active and ongoing construction purposes authorized by the required zoning and construction permits only. All commercial vehicles, commercial equipment, and construction equipment shall be immediately removed from the site if the required permits have not been issued, expire, or otherwise become invalid. All commercial vehicles, commercial equipment, and construction equipment shall be immediately removed from the site if construction activity is completed, suspended, or if the site is abandoned for a period of 30 days or more.

b. Commercial vehicles, commercial equipment, and construction equipment may be stored on site no more than 30 days prior to the commencement of construction if valid zoning and construction permits have been issued.

c. For the purposes of this Section, "Commercial vehicles" shall not include vans or trucks with a gross vehicle weight rating of less than 14,000 pounds.

B. Nonresidential Districts.

- 1.** No storage area shall be located in a required front yard or in a required side yard adjoining a street.
- 2.** No article, equipment, vehicle, supplies, or material shall be kept or stored outside the confines of any building unless the same is allowed by this chapter or is screened by special planting or fencing, as approved by the Board, and maintained in good condition, so that it shall not be visible from any adjacent property or public street. Any outdoor storage area shall meet the location requirements for accessory structures. Storage of trailers or use of trailers for storage is prohibited.
- 3.** **Unless being stored within a building or approved storage area in accordance with subsection 2 above, the storage of commercial vehicles, commercial equipment, and construction equipment shall be prohibited, subject to the following exceptions:**

a. Commercial vehicles, commercial equipment, and construction equipment may be stored on site for active and ongoing construction purposes authorized by the required zoning and construction permits only. All commercial vehicles, commercial equipment, and construction equipment shall be immediately removed from the site if the required permits have not been issued, expire, or otherwise become invalid. All commercial vehicles, commercial equipment, and construction equipment shall be immediately removed from the site if construction activity is completed, suspended, or if the site is abandoned for a period of 30 days or more.

b. Commercial vehicles, commercial equipment, and construction equipment may be stored on site no more than 30 days prior to the commencement of construction if valid zoning and construction permits have been issued.

c. For the purposes of this Section, "Commercial vehicles" shall not include vans or trucks with a gross vehicle weight rating of less than 14,000 pounds.

[SUBSECTION C – NO CHANGE]

D. Penalty for Violations. Any violation of this section shall be punishable by the penalties provided in section 1-5 of the Revised General Ordinances of the Borough of Highlands.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This Ordinance shall take effect upon adoption and publication according to law.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: August 17, 2022

Nancy Tran, Municipal Clerk
Borough of Highlands

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk's Office.

DATE OF VOTE: September 7, 2022

Nancy Tran, Municipal Clerk
Borough of Highlands

Carolyn Broullon, Mayor