

ORDINANCE NO. 5 2018

AN ORDINANCE OF THE TOWNSHIP OF SALEM PERMITTING STORAGE OF TRASH RECEPTICLE, DUMPSTERS AND PORTABLE STORAGE DEVICES IN R-1, R-2 AND R-3 ZONING DISTRICTS ON STREETS, SIDEWALKS, AND PRIVATE PROPERTY UNDER CERTAIN CONDITIONS SUBJECT TO A PERMIT, AND PRESCRIBING PENALTIES FOR VIOLATION.

The Supervisors of Salem Township hereby ordains:

**Section 1. Definitions.** As used in this ordinance, the word person shall mean and include any natural person, partnership, association, firm or corporation. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

**Section 2. Permit Requirements for Storage of Trash Receptacles.** Under special circumstances, where there shall be no other practicable means for temporary storage, a permit may be granted by the Township of Salem for the storage of trash receptacles upon a limited portion of the street and/or sidewalk abutting the property and upon private property making use of said receptacles. Such permit shall be issued for a fee fixed pursuant to Resolution. Such permit shall be issued upon the following conditions, which shall be strictly adhered to by the holder thereof;

1. Such permit shall be valid for a limited time, not in excess of 30 days, which shall be determined by the Township of Salem, on the basis of the scope of the work being undertaken, and the inconvenience to the public involved and such time limit shall be stated on the permit. Under special circumstances, a permit may be extended beyond the original time limit with approval of the Township of Salem, for a fee fixed pursuant to Resolution.
2. The receptacle shall occupy only such portion of the street and/or sidewalk specified in the permit.
3. Said receptacle shall be placed so as not to interfere with drainage of any street or sidewalk or with access to any fire hydrant. Said placement, location and usage to be reviewed and approved by the Township.
4. Said receptacle shall be situated so as to occupy a minimum of space and present the least danger and inconvenience to the public.
5. The holder of such permit shall be liable for all damages, losses, costs or expenses that are or may be considered by reason of the placing or storage of said receptacle upon the street or sidewalk or private property.
6. The holder of such permit shall be responsible for placing barriers, guards, reflectors and/or warning lights in the vicinity of or around the receptacle so as to prevent injury

to persons and property. Additionally, sufficient reflective tape shall be placed upon all four sides of the device in a manner to make it visible at night.

7. On or before the date of expiration of such permit, the permitted receptacle shall be removed and the street and/or sidewalk shall be restored to the condition in which it was immediately prior to such storage, in default of which the Township of Salem may cause the receptacle to be removed and placed upon the property of the permit holder, with the expense of such removal payable by the holder of such permit. and collected in any manner provided by law.

8. The name, address and telephone number of the dumpster, temporary dumpster, or portable storage device owner/operator shall be conspicuously placed on at least two sides of the device.

9. Each of the dumpster, temporary dumpster, or portable storage device rollers, wheels or support braces must be placed upon a wooden pad of at least six inches by six inches and at least 3/4 of an inch in thickness, or on a similarly protective device in order to prevent damage to the street or sidewalk.

10. No dumpster, temporary dumpster, or portable storage device shall be placed within the cart way of any street extending a distance of more than 9 feet from the curb line or edge of cart way.

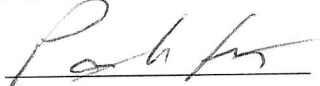
**Section 3. Penalties.** Any person, firm or corporation who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than SIX HUNDRED and 00/100 (\$600.00) DOLLARS, and in default of payment, to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this ordinance continues shall constitute a separate offense.

**Section 4. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

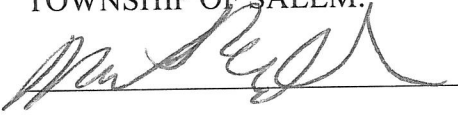

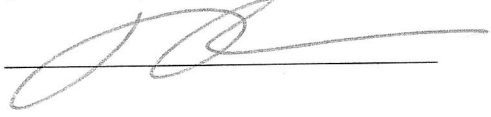
**Section 5. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance, It is hereby declared as the intent of the Supervisors of Salem Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 6. Effective Date.** This ordinance shall become effective on October 9, 2018,  
2018.

ATTEST:

  
Secretary

TOWNSHIP OF SALEM:

Examined and Approved this 9<sup>th</sup> day of October, 2018.