

CURRENT TEXT

§ 27-807 Temporary Structure or Use.

1. Construction Vehicle Parking and Temporary Offices. See "essential services," a permitted-by-right accessory use, in § 27-306.

2. Tents. The following are permitted-by-right accessory uses: tents erected for a use during a maximum of five days in any calendar year for:

A. Routine and customary accessory noncommercial uses; and

B. A routine and customary accessory use to an existing commercial use.

3. Temporary Uses by Conditional Use. For temporary structures or uses that are not specifically permitted by right by this chapter, and other than those uses that were lawfully occurring on a periodic basis prior to the adoption of this chapter, a temporary permit may be issued by the Board of Commissioners as a conditional use for structures or uses, subject to the following additional provisions:

A. Duration. The Board of Commissioners shall establish a limit on the duration of the use. In the case of a special event, except under special circumstances, this should be a maximum of six days in any sixty-day period. The Board of Commissioners may grant a single approval once for numerous occurrences of an event. Except for reoccurring special events, there is a maximum two-year period.

B. Statement from Owner. The applicant shall present a statement from the owner of record of the land accepting responsibility to ensure that the use or structure is removed once the permit expires.

C. Removal. Such structure or use shall be removed completely upon expiration of the permit without cost to the Township. If the structure or use is not removed in a timely fashion after proper notification, the Township may remove the use or structure at the cost of the person who owns the land upon which the structure or use is located.

D. Conditions. The temporary use or structure shall:

- (1) Be compatible with adjacent uses; and
- (2) Clearly be of a temporary nature.

E. Fee. The Board of Commissioners may waive and/or return the required application fee if the applicant is an Internal Revenue Service recognized and well-established nonprofit organization and the applicant clearly shows that the proposed use is temporary and will be used to clearly primarily serve a charitable or public service purpose.

F. Nonprofit. Only a well-established and Internal Revenue Service recognized nonprofit organization proposing a temporary use to clearly primarily serve a charitable or public service purpose shall be eligible to receive approval for a temporary commercial use in a district where that use is not permitted.

G. Special Events. For a special event that will attract significant numbers of the public, the Board of Commissioners may deny the use if it determines that the following will not be generally appropriate: sanitary and water service, traffic control, off-street parking, and protection of the public health and safety.

4. Portable Storage Containers.

A. This section shall apply to a portable storage container that is kept outside of a building and which has a length greater than 10 feet and which is not currently attached to a motor vehicle or railroad and which is not part of a permitted principal industrial use.

B. The following regulations shall apply on a principally residential lot:

(1) A portable storage container shall not be kept on a principally residential lot for a total of more than 60 days in any two-year period, unless it is necessary for storage as part of an active construction permit for the lot. A temporary zoning permit shall be required if the portable storage container is kept on the lot for more than 30 days.

(2) A maximum of one portable storage container shall be allowed per lot.

C. On a lot that is not a principally residential lot, any portable storage container that is kept on a lot for more than 30 days shall meet the setbacks that apply to a principal building, unless it is necessary to temporarily hold materials for on-site construction.

D. The following shall apply to any portable storage container:

(1) The container shall not obstruct safe sight distances at intersections.

(2) The container shall not obstruct travel lanes of a street or a public sidewalk or a handicapped ramp.

(3) The container shall only be allowed to be placed within a street right-of-way if a permit for such placement is issued by the Township. Such permit shall specify a maximum number of days during which the container may be placed within the right-of-way.

(4) The container shall not be used to store hazardous, explosive or toxic substances or putrescent garbage.

(5) A facility that stores portable storage containers that have been leased by others or are available for lease shall be considered a warehouse.