

BILL NO. 19 -2008

AN ORDINANCE

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF READING BY ADDING TO CHAPTER 10 – HEALTH AND SAFETY AND CREATING PART 15- THE REGULATION AND LIMITATION OF PORTABLE HOME STORAGE UNITS ORDINANCE.

WHEREAS, the City of Reading is duly empowered by the City Code to enact certain regulations relating to the public health, safety and welfare of the citizens of the City of Reading; and

WHEREAS, the City of Reading has determined that certain regulations are required to address the location, licensing, storage regulation and placement of Portable Home Storage Units at residential parcels within the City; and

WHEREAS, the City finds that the Amendment of Chapter 10 of the Code of the City of Reading, to provide for certain regulations for the off-street and on-street parking of Portable Home Storage Units is in the best interest of the residents of the City of Reading.

THEREFORE, THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the Codified Ordinances of the City of Reading by adding to Chapter 10 – Health and Safety, Part 15 – The Regulation and Limitation of Portable Home Storage Units Ordinance.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor’s veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted Feb 25 2008

President of Council

Attest:

[Signature]  
City Clerk

Submitted to Mayor: [Signature]

Date: 2-27-08

Received by the Mayor’s Office: [Signature]

Date: 2/27/08

Approved by Mayor: [Signature]

Date: 2/27/08

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 25<sup>th</sup> day of Feb A. D. 20 08. Witness my hand and seal of the said City this 27<sup>th</sup> day of Feb A. D. 20 08.

[Signature]  
CITY CLERK

## EXHIBIT A

### PART 15 THE REGULATION AND LIMITATION OF PORTABLE HOME STORAGE UNITS ORDINANCE

**§ 10-1500. Declaration of Purpose.** In order to enhance the public health, safety and welfare of the citizens of Reading, the City of Reading City Council recognizes the necessity for the regulation of the location, licensing, storage regulation and placement of Portable Home Storage Units at residential parcels within the City.

**§ 10-1501. Definitions.**

**PORTABLE HOME STORAGE UNITS** – Portable sheds (hereinafter referred to as “PHSU’s”) that are used for the purpose of being loaded with materials and placed on a residential parcel for purposes of temporary storage of materials, including but not limited to household goods, building materials, (prior to being used for building purposes), and for any other storage on a limited basis on a parcel which is either zoned residential or used primarily for residential purposes.

**§ 10-1502. Permit required; application; insurance; fee**

A. Prior to the placement of any PHSU on any residential parcel in the City of Reading, the owner of such parcel must apply for and obtain a permit for the placement of such PHSU from the City of Reading Department of Public Works.

B. All applications for permit under this Section must be accompanied by an insurance certificate providing liability insurance in an amount not less than \$100,000 in general liability coverage from the company supplying the PHSU.

C. The City of Reading shall collect an application fee of \$25 for each permit issued hereunder for a five-day permit.

D. Permits issued under this Section, and any renewal of permits issued hereunder, must be signed by a Public Works Official of the City and prominently displayed on the PHSU for which the permit is issued in a sealed and water-tight manner, so as to protect the permit from denigration by the weather, rain or other elements.

**§ 10-1503. Duration.**

A. Initial permits may be granted for a period of five days by the Public Works Official, upon proper submission of the required application and supporting documentation as provided under §10-1502.

B. After the expiration of the 5-day period for the initial permit, an applicant may submit an extension application for an additional two days. All such applications for an extension of permit must be accompanied by an extension fee in the amount of \$10.

C. No more than one extension may be granted for any permit issued under this part for any PHSU.

**§ 10-1504. Limitation of Number of Permits for PHSUs.**

No resident under this Section may be issued more than two (2) permits for the placement of a PHSU during any 12 month period. Such limitations shall include applications for extension.

**§ 10-1505. Permits for Extended Hardship.**

Upon a finding by the Public Works Official, and/or any other Official so authorized, that a parcel of property has experienced a flood, fire, natural disaster or other act of God, so as to render the primary residential dwelling thereon uninhabitable, and so as to require, in the judgment of the Public Works Official and/or any other Official so authorized, the placement of a PHSU on the property or on a street for a period longer than that provided under §10-1503 or §10-1504, the Public Works Official and/or other authorized Official may issue an extended hardship permit under this Section, for the placement of a PHSU for such period of time as fixed by the Public Works Official and not otherwise subject to the limitations provided under this part. All such extended hardship permits must be duly registered with the City of Reading Department of Public Works and shall be issued without application fee.

**§ 10-1506. Location.**

A. All PHSUs must be kept in the driveway of the parcel at the furthest accessible point from the street.

B. In the event that a parcel is devoid of a driveway or other paved surface, permitted PHSUs may be placed in the parking lane of a public right-of-way area, without violating a minimum sidewalk clearance of 5 feet, or on another area of private property.

C. **PHSUs in Historical Districts and in areas of the Downtown Improvement District.** No PHSU shall be allowed on any public right-of-way or be allowed to be visible from any public right-of-way in any area designated as a historic district in the Codified Ordinances of the City or areas in the Downtown Improvement District without review and approval of the Department of Public Works and the Historic Preservation Specialist pursuant to *Ord. 35-1999, 12/13/1999* [Chapter 4, Part 1 (Historical District Ordinance)].

**§ 10-1507. Number of Units.**

Only one (1) PHSU may be placed on any one residential parcel at one time. The Public Works Official, and/or any other authorized official, is authorized to permit the placement of more than one PHSU under the terms of §10-1505, in the event that the circumstances giving rise to the hardship permit warrant the placement of additional PHSUs in order to accommodate the storage of interior furnishing, goods and materials from a residence substantially damaged by flood, fire, act of God or other natural disaster.

**§ 10-1508. Violations and Penalties.**

A. Any person who shall place a PHSU in violation of this part shall, upon conviction before a magisterial district judge, be sentenced to pay a fine not exceeding \$1,000, together with the cost of prosecution, and upon default from the payment thereof, may be sentenced to undergo imprisonment for a period not exceeding 30 days. Each day in which a violation shall continue after due notice to the property owner, shall be deemed a separate offense, punishable by the terms and conditions provided under this Section.

B. Any Public Works Official, or law enforcement officer of the City of Reading, and/or any other Official so authorized, is duly empowered to enforce the terms, conditions and provision of this Ordinance, and to commence such summary criminal proceedings as may be warranted upon the finding of any violation of the terms, conditions and provisions of this Ordinance.