

ORDINANCE NO. 05-2021

**BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 30 ENTITLED
“LAND DEVELOPMENT”, SECTION 30-403.12 ENTITLED
“TRAILERS, MOBILE HOMES, RECREATIONAL
VEHICLES”**

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Roseland that Chapter 30 of the Revised General Ordinances of the Borough of Roseland entitled “Land Development” shall be amended as follows:

SECTION I

That Section 30-403.12 entitled “Trailers, Mobile Homes, Recreational Vehicles” shall be amended by adding the following **thus** and deleting the following **thus**:

§ 30-403.12. Trailers, Mobile Homes, Recreational Vehicles **and Automobiles**

“Automobile” means a private passenger automobile of a private passenger or station wagon type that is owned or hired and is neither used as a public or livery conveyance for passengers nor rented to others with a driver; and a motor vehicle with a pickup body, a delivery sedan, a van, or a panel truck or a camper type vehicle used for recreational purposes owned by an individual or by husband and wife who are residents of the same household, not customarily used in the occupation, profession or business of the insured other than farming or ranching. An automobile owned by a farm family copartnership or corporation, which is principally garaged on a farm or ranch and otherwise meets the definitions contained in this section, shall be considered a private passenger automobile owned by two or more relatives resident in the same household.

Trailers, mobile homes, **and** recreational vehicles **and automobiles** as defined in Article II herein shall be stored in accordance with subsection 30-403.12a below, except that with respect to a trailer set up for use in connection with a construction project in any zone, the following shall apply: A trailer may be set up for use in connection with a construction project in any zone for a period not to exceed ninety (90) days, provided an occupancy permit therefor has been obtained from or reissued by the Construction Official, who is hereby authorized to issue such permits. Any violation of any provisions in this chapter, or the provisions of any ordinance, shall void said permit and a trailer may be subject to immediate removal from the Borough and such other actions the governing body may consider necessary.

a. Parking or Storage of Mobile Homes, Trailers, Recreational Vehicles **and Automobiles**

1. Parking or storage restricted; use as dwelling prohibited. No person shall park or store a mobile home, trailer or recreational vehicle as defined herein in Article II in the open on

any street, highway or other public place within the Borough of Roseland, or on any lot or tract of land therein, whether occupied or unoccupied except that any such structure or vehicle may be parked in a garage or parked or stored by the owner thereof as hereinafter set forth. No such structure or vehicle, while stored or parked as permitted in this subsection, shall be occupied or used for dwelling purposes.

2. Under no circumstances shall any such structure or vehicle, other than any construction trailer actually used in conjunction with construction upon construction sites, be used for dwelling purposes, human habitation or occupancy of any kind or nature; nor shall the same be connected to any water main, sewer, gas, electric or other utility. Trailers used in connection with construction shall receive a trailer permit to park from the Construction Official who shall have reasonable discretion to regulate the place of parking, use, location and length of stay.
3. No mobile home, trailer or recreational vehicle shall be parked in the front yard of any residential dwelling. Whenever possible, all such vehicles shall be parked and stored by the owner thereof in that half of the rear yard closest to such primary structure dwelling, but shall not extend beyond a distance of twenty-eight (28) feet or one half (1/2) of the length of the rear of the dwelling, whichever is less, and then only in such fashion that no part of such structure or vehicle shall project beyond the outside walls of the dwelling or above the highest point of the lowest roof thereof. The Construction Official or Zoning Official shall have authority to determine when it is not possible to park said vehicle or structure in the rear yard or whether, because of topography, property layout or other aesthetic considerations, it is more feasible to park as otherwise provided herein. In such cases, the structure or vehicle may be parked or stored in the other half of the rear yard or in the side yard, but no such structure or vehicle shall be parked or stored in such manner as to violate the side yard requirements for the zone district in which dwelling is located.
All vehicles as listed above shall be parked on an approved parking area consisting of asphalt, concrete, pavers or stone as specified in 30-508.1. Under no circumstances shall any vehicle be parked on areas of lawn, landscape areas or unapproved parking areas.
4. All mobile homes, trailers, recreational vehicles not stored in an enclosed garage shall be reasonably screened. Screening may consist of trellis, latticework, decorative block, basket-weave fencing, open artistic block or other similar material at least four (4) feet in height approved by the Construction or Zoning Official, or may be shrubbery at least four (4) feet in height. All screening shall be maintained as originally approved. If the screening is not so maintained, any permit granted is subject to revocation by the Construction or Zoning Official. All screening shall also conform to any other Borough ordinance, including those concerning fences. The requirements of this section shall not apply to a construction trailer.
5. No motor home, trailer or recreational vehicle shall be parked, placed, kept or maintained on any lot or tract other than the lot upon which the principal residence of the actual owner of the same is located.

6. Any motor home, trailer, **automobile** or recreational vehicle parked or stored in accordance with the terms of this chapter must:
 - (a) Be currently licensed for use upon the highways of this State in accordance with the laws of this State, if such licensing is required.
 - (b) Comply with any and all provisions of N.J.S.A. 39:1-1, et seq., relating to trailers, if applicable.
 - (c) Be kept and maintained in current repair and kept painted and free from rust.
 - (d) Collapsible trailers shall be stored or parked in collapsed condition.
7. Temporary Parking. Any provision of this subsection notwithstanding, a trailer may be parked, placed or located off the street for a period not to exceed forty-eight (48) hours while engaged in the process of loading; or unloading; and any motor home, trailer or recreational vehicle may be parked in a driveway from sunset to sunrise the following morning where such structure or vehicle is then being used for recreational purposes.
8. Temporary Parking for Transients. Transients through or visitors to the Borough may park trailers in a driveway, side or rear yard of an occupied dwelling for a period of time not to exceed ten (10) cumulative days, provided such transient or visitor makes immediate application to the Construction or Zoning Official for a permit to so park on the premises of the occupied dwelling. Not more than one (1) such permit shall be issued to any one (1) owner or operator in any twelve (12) month period. No permit shall be granted unless the parking is without charge therefor.
9. Emergency Parking or Stopping. Emergency or temporary parking or stopping of a motor home, trailer or recreational vehicle is permitted on any street or highway within the Borough for not longer than one (1) hour subject, however, to any other and further prohibitions or limitations imposed by the traffic and parking regulations for that street or highway.
10. Exceptions. Anything herein to the contrary notwithstanding, a trailer may be temporarily parked or stored in the open in connection with:
 - (a) A public health program sponsored by the Board of Health of the Borough or other public agency.
 - (b) A program sponsored by any public board or agency of the Borough or of its Board of Education.
 - (c) A carnival or other affair or function authorized by the Borough Council.

SECTION II

If any section of provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION IV

This ordinance shall take effect upon publication as provided by law.

DATE OF INTRODUCTION: February 16, 2021

Motion to Introduce by: Councilwoman Perrotti

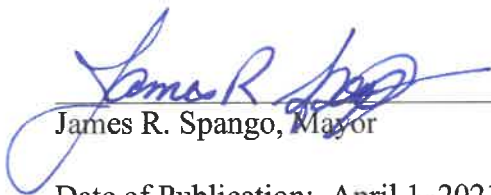
Motion Seconded by: Councilman Trillo

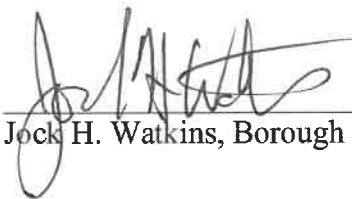
Introduction Approved: 6-0 Roll Call Vote

DATE OF ADOPTION: March 16, 2021

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi		X	X				
Council President Fishman			X				
Councilman Freda			X				
Councilwoman Perrotti	X		X				
Councilwoman Tolli			X				
Councilman Trillo			X				
Mayor Spango (In case of tie)							
		VOTE:	6	0			

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 16th day of March, 2021.


James R. Spango, Mayor


Jock H. Watkins, Borough Clerk

Date of Publication: April 1, 2021, The Progress