



# TOWNSHIP OF FLORENCE

711 BROAD STREET • FLORENCE, NEW JERSEY 08518-2323

PHONE: (609) 499-2525 • WWW.FLORENCE-NJ.GOV

## SELF-CONTAINED PORTABLE TOILETS

Applicant/Property Owner Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Reason for Use: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Time Frame: between \_\_\_\_\_ and \_\_\_\_\_

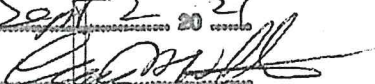
### ***The conditions are:***

- Temporary use (10 calendar days or less) is permitted for construction, rehab projects, special events, emergency use or planned upgrades/repairs at sites that are not permanently inhabited and do not have installed toilets
- Temporary use is limited to 3 calendar days or less for special events on private property (ex. Weddings, family reunions) is allowed
- Long-term use (more than 10 consecutive calendar days) for construction, rehab projects, special events, emergency use or planned upgrades/repairs at sites that are not permanently inhabited and do not have installed toilets is subject to approval. Written proof of a service contract with a licensed disposal contractor must be provided.
- ***NOTE: It shall be the responsibility of the applicant/property owner of the site where the self-contained portable toilets are located to ensure compliance with the maintenance requirements.***

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

**APPROVED**

Sept 2 2021  
  
MAYOR

**TOWNSHIP OF FLORENCE**

**ORDINANCE 2021-21**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE ESTABLISHING CHAPTER 115 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF FLORENCE ENTITLED "SELF-CONTAINED PORTABLE TOILETS" TO CREATE REQUIREMENTS FOR USE WITHIN THE TOWNSHIP**

**WHEREAS**, the Township Council of the Township of Florence has received complaints with respect to the use of self-contained portable toilets within certain locations of the Township; and

**WHEREAS**, the Township Administration and staff have recommended implementing certain regulations on the use of self-contained portable toilets in order to protect the public safety and welfare; and

**WHEREAS**, the Township Council is desirous to adopt those recommendation;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Florence in the County of Burlington, State of New Jersey that:

1. Chapter 115, Article 1 of the Township Code of the Township of Florence shall be created and shall read as follows: Self-Contained Portable Toilets.

§115-1 Definitions.

- A. "Long-term use" means any use of one or more self-contained portable toilets for a period of more than 10 consecutive calendar days.
- B. "Self-contained portable toilets" means one or more commercially manufactured or assembled self-contained toilet facility that is portable and is not designed or intended for connection to a sewer system with a standard connection.
- C. "Site" means any property or properties, consisting of one or more lots, whether developed or undeveloped, that make up an individual location. Examples of a site include but are not limited to a parking lot or lots, a business location consisting of one or more buildings, and a residential property consisting of one or more lots.
- D. "Temporary use" means any use of one or more self-contained portable toilets for a period of 10 calendar days or less.
- E. "Use" means the presence of one or more self-contained portable toilets on a site which are intended for use, even if not actually being used. This would include periods when

the toilets are physically secured for security or maintenance periods. The storage of self-contained portable toilets at a commercial facility or business which are not intended to be used is not considered a use under this chapter.

#### §115-1 Permitted Uses.

Nothing in this chapter shall prohibit any use of self-contained portable toilets that is required by another code or statute. Unless otherwise authorized by another code or statute, self-contained portable toilets shall be prohibited except as provided for herein.

(1) The use of self-contained portable toilets shall be permitted in all zones within the Township subject to the following limitations:

- a. The temporary use of self-contained portable toilets for construction, rehabilitation projects, special events, interruption of sewer service for emergencies or planned upgrades/repairs, and at sites or facilities that are not permanently inhabited and do not have installed toilet facilities such as marinas, service stations and parks is allowed.
- b. The long-term use of self-contained portable toilets for construction, rehabilitation projects, special events, interruption of sewer service for emergencies or planned upgrades/repairs, and at sites or facilities that are not permanently inhabited and do not have installed toilet facilities is allowed, subject to approval in accordance with §115-5 below.

(2) The use of self-contained portable toilets shall be allowed in the residential zoning districts subject to the following limitations:

- a. The temporary use of self-contained portable toilets for construction, rehabilitation projects, and interruption of sewer service for emergencies or planned upgrades/repairs is allowed. The use of self-contained portable toilets, limited to three calendar days or less, for special events such as wedding receptions or family reunions on private property is allowed.
- b. The long-term use of self-contained portable toilets for construction, rehabilitation projects, and interruption of sewer service for emergencies or planned upgrades/repairs, is allowed, subject to approval in accordance with §115-5 below.

#### §115-3 Prohibited Uses.

- A. Unless a waiver is granted in accordance with §115-6 the use of self-contained portable toilets in lieu of connection of a site or facility to the Township's sanitary sewer system is prohibited.
- B. The use of self-contained portable toilets for the purpose of providing sewer service to a site or facility when sewer and water service has been discontinued due to delinquency of the utility account is prohibited.
- C. The use of privately manufactured or constructed self-contained portable toilets is prohibited.

#### §115-4 Maintenance Requirements.

It shall be the responsibility of the property owner of the site where self-contained portable toilets are located to ensure compliance with the maintenance requirements in this section. The following maintenance requirements shall apply to all uses of self-contained portable toilets:

1. For temporary uses, in addition to the requirements of subsection (3) of this section, the self-contained portable toilets must be in good working condition without any broken surfaces or leaks. Doors must be in good working condition and must be able to be securely latched while in use. The toilet(s) must be monitored and/or permanently secured, or serviced by a licensed disposal contractor if the holding tank becomes full during the period of use.
2. For long-term uses, in addition to other requirements of this section, a long-term use of self-contained portable toilets requires written proof of a service contract with a licensed disposal contractor to provide periodic inspections and pump outs as necessary.
3. For all uses, in addition to the other requirements of this section, the following shall apply to the use of self-contained portable toilets. Toilet(s) shall be located on the site so as to be free from obstruction from, nor present an obstruction to, existing structures or driveways. The toilet(s) shall be located in such a manner as to not be potentially impacted by site conditions such as slopes, ditches, or prevailing winds. Toilet(s) located in residential zones shall be located to provide the maximum practical screening from roads and adjacent properties as the site allows.

#### §115-5 Long-term use approval.

1. Requests for the use of self-contained portable toilets for construction projects shall be included with the application for development reviews or permits as applicable. Application shall be made on forms provided by the Township. The Director of Public Works or designee will review and approve/deny requests made under this section.
2. An application for uses authorized by this chapter that do not require an application for development review or permit shall be made directly to the Director of Public Works or designee on forms provided by the Township. The Director of Public Works or designee will review and approve/deny requests made under this section.

#### §115-6 Application for waiver.

A request for the waiver of one or more conditions of this chapter may be made by any affected party. The request shall be in writing in the form of a letter addressed to the Township Administrator. The letter must indicate the condition or conditions from which a waiver is being requested, the basis for the request, and the action requested. The Administrator shall review the request and recommendations from appropriate staff and make a determination to grant or deny the waiver application. The property owner may appeal any such decision to the Township Council at a regularly scheduled meeting. The Township Council may grant a

waiver, either partial or fully, from one or more conditions of this chapter where it finds the strict application of said condition(s) would create one or more of the following conditions:

1. It is not practicable based on the circumstances of the event, activity, or physical conditions of the site.
2. It would create an unusual hardship to the applicant that is not common to similar events, activities, or sites.
3. It would not create an unsafe condition, nuisance, or hazard, either on site or to adjacent properties.
4. The waiver is not simply for the convenience of the applicant.

§115-7 Effect of existing self-contained portable toilets.

Any self-contained portable toilet currently either located on a site or in a manner which is in violation of the provisions of this chapter shall be removed within 90 days of the effective date of the ordinance codified in this chapter.

§115-8 Penalty and Violations.

Any person who violates any provision of this chapter shall, upon conviction, be liable to a penalty of not more than one thousand dollars (1,000.) or serve a period of community service not exceeding ninety (90) days, or any combination thereof, for each such violation.

2. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
3. Effective Date. This ordinance shall take effect upon its final passage, adoption, and publication on the earliest date permitted by law.
4. Severability. If any section, paragraph, clause or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

  
NANCY L. ERLSTON, RMC  
TOWNSHIP CLERK

  
BRUCE GARGANIO  
COUNCIL PRESIDENT