

TOWNSHIP OF TOMS RIVER

ZONING OFFICE

TRAILERS

ZONING PERMIT INSTRUCTIONS

APPLICANTS ARE ENCOURAGED TO USE THE FOLLOWING OUTLINES AS A GUIDE FOR PREPARING PLANS AND APPLICATIONS FOR ZONING PERMITS. THE REQUESTED DOCUMENTATION AND PLAN DETAILS SHOULD BE CONSIDERED THE MINIMUM INFORMATION NECESSARY FOR SUBMITTAL TO THE ZONING OFFICE. ADDITIONAL INFORMATION MAY BE REQUESTED TO ENSURE THAT THE APPLICATION COMPLIES WITH THE TOWNSHIP'S ZONING/LAND USE REGULATIONS. PROVIDING THE INFORMATION AS REQUESTED WILL FACILITATE THE ZONING REVIEW IN A TIMELY MANNER. ADDITIONAL INFORMATION IS AVAILABLE IN THE ZONING OFFICE AND "ON LINE" AT THE TOWNSHIP'S WEB SITE tomsrivertownship.com.

EACH APPLICATION SHOULD INCLUDE:

- (1) A COMPLETE "ZONING PERMIT APPLICATION" FORM
- (2) WRITTEN CONSENT FROM THE LAND OWNER IN THOSE INSTANCES WHERE THERE IS MORE THAN ONE COMMERCIAL TENANT ON THE PROPERTY
- (3) CHECK MADE PAYABLE TO TOMS RIVER TOWNSHIP, OR CASH IN THE EXACT AMOUNT OF THE APPLICATION FEE {CREDIT/DEBIT CARDS ARE NOT ACCEPTED}
- (4) ALL INFORMATION REQUESTED IN THE INSTRUCTIONS BELOW
- (5) ALL INFORMATION REQUESTED ON THE APPLICATION FORM
- (6) SURVEY OR SITE PLAN MARKED TO SHOW:
 - a) Location of trailer(s). Distance(s) from buildings, fire hydrants, Fire Department connections, property lines, other trailers, etc.
 - b) Size/trailer dimensions
 - c) Label purpose of each trailer (merchandise, household items, construction materials, sales office, construction office, mobile home, etc.)
 - d) Type of trailer (container, one axle, two axle, POD, mobile home, sales, storage, etc.)

ANY APPLICATION THAT INCLUDES ARCHITECTURAL, ENGINEERING AND/OR SURVEY PLANS LARGER THAN 11" X 17" IN SIZE MUST INCLUDE ONE COPY OF THE PLAN(S) REDUCED TO A LEGIBLE SCALE TO FIT ON 11 X 17 PAPER OR ELECTRONIC VERSIONS OF THE PLAN(S). ACCEPTABLE ELECTRONIC FORMAT OF PLANS INCLUDE SCANNED (pdf) IMAGES ON CD, FLASH DRIVES OR ATTACHED TO E-MAILS SENT TO Zoning@tomsrivertownship.com

PURSUANT TO TRAILER ORDINANCE 4467-14, "Separate applications shall be submitted for each trailer requested by the applicant. The application and permit fee shall be \$50 per trailer."

PLEASE CHECK THE APPROPRIATE LINE ITEM(S):

Trailer type:

- Recreation vehicle (R/V) _____
- Mobile home in mobile home park _____
- Office trailer _____
- Storage trailer _____
- POD / container _____
- See code 348-5.23 for boats and travel trailers _____

Construction trailer(s):

- Nonresidential building/tenant _____
- Residential dwelling(one house) _____
- Residential development (multiple dwellings/houses) _____

Purpose and/or reason for trailer:

- Storage, household items _____
- Storage, construction materials _____
- Storage, commercial merchandise _____
- Construction office _____
- Sales office open to public _____
- Residential renovation/remodeling _____
- Commercial renovation/remodeling _____
- Commercial special event (see special event handout) _____
- House raise _____
- New house construction _____
- Temporary residential occupancy of trailer/RV/mobile home _____
- Emergency _____

Please provide explanation: _____

Duration:

_____ Start date

_____ End date

ANY PROPOSAL TO EXCEED THE TIME LIMITS SET FORTH IN TRAILER ORDINANCE 4467-14 WILL REQUIRE BOARD APPROVAL.

IT IS THE APPLICANT'S RESPONSIBILITY TO OBTAIN A UCC CONSTRUCTION PERMIT FOR THE FOLLOWING TRAILERS:

- CONSTRUCTION OFFICE
- SALES OFFICE OPEN TO THE GENERAL PUBLIC
- MOBILE HOMES WITHIN MOBILE HOME PARKS
- TRAILERS AND MOBILE HOMES CONNECTED TO UTILITIES

1. **STORAGE TRAILERS and OFFICE TRAILERS (NONRESIDENTIAL DEVELOPMENT)** §348-5.46 B.(1) – A mobile trailer, container or modular unit temporarily located at a construction site and utilized for storage, office or warehousing purposes, but not as a sales trailer.
 - A. May be allowed upon a site where there is active construction of a nonresidential building
 - B. Shall not remain upon the premises for longer than two weeks past the completion of said construction.
 - C. Shall not remain on said premises for more than two years from the date of issuance of a construction permit or zoning permit, or past the date of issuance of a certificate of occupancy, whichever shall occur first.

2. **STORAGE TRAILER (RESIDENTIAL DEVELOPMENT)** §348-5.46 B.(3)– A trailer utilized for storage may be allowed upon a site where there is active construction of a residential development such as a subdivision or multi-family complex.
 - A. Trailer may not be placed upon the site prior to issuance of a zoning permit for the proposed residential development.
 - B. Trailer shall not remain upon the premises for longer than two weeks past the completion of the last residential unit.
 - C. In no event will any trailer remain on said premises for more than two years from the date of construction of the first residential unit, or past the issuance of a certificate of occupancy for the last residential unit, whichever shall occur first.

3. **STORAGE TRAILER (ONE- OR TWO-FAMILY DWELLING CONSTRUCTION)** §348-5.46 B.(6)
 - A. Where such trailer is related to the construction of a new one- or two- family residential dwelling, the trailer permit shall be granted for a period of 180 days and is renewable for additional 90 day periods.
 - a. Trailer shall be removed prior to the issuance of the certificate of occupancy.
 - B. Where such trailer is related to the renovation or remodeling of an existing one-or two-family residential dwelling, the trailer permit shall be granted for a period not to exceed 90 days. One additional ninety-day period is permitted.
 - C. Trailer/storage container shall not be placed on site prior to issuance of the UCC Construction permit

4. **PORTABLE STORAGE CONTAINER (RESIDENTIAL)** §348-5.46 B.(7) – Any trailer, container, storage unit or portable structure (commonly known as PODS®) with or without wheels designed to be used for short term storage of tangible property and not for occupancy by persons, and without a foundation.
 - A. One portable storage container may be allowed upon the premises of a one- or two-family residential dwelling.

- B. The permit for a portable storage container shall be granted for a period not to exceed 30 days and is not renewable.
 - C. Motor-drawn vehicles that do not have a 30 day permit pursuant to this code section are prohibited pursuant to §348-5.26
5. **MERCHANDISE STORAGE TRAILER (NONRESIDENTIAL) §348-5.46 B.(2)** - A trailer, container or modular unit utilized for storage of merchandise
- A. Shall be permitted to be used for a period of no longer than 30 days in connection with a commercial sale provided the goods within the trailer, container or modular unit are the merchandise of a business located within a building on the subject property.
 - B. No more than two times per calendar year, and there shall be a minimum of 60 days between such sales events.
 - C. There shall be a maximum of one trailer per premises at any one time, regardless of how many commercial enterprises are located on the premises.
 - D. No temporary merchandise trailer shall be located within any designated fire lane, vehicular circulation aisle or parking space.
 - E. A temporary merchandise trailer shall not be located closer than the required front parking setback line or 25 feet from any street right-of-way, whichever is greater, and shall not be located within 15 feet from any side or rear property line.
6. **SALES TRAILERS OPEN TO THE PUBLIC AT CONSTRUCTION SITES §348-5.46 B.(4)** – A mobile trailer or modular unit temporarily located at a construction site and utilized as a sales or rental center and open to the general public.
- A. A trailer or trailers may be allowed upon a premise as a sales and/or construction office at construction site involving residential and/or nonresidential buildings.
 - B. Said trailer is not used for storing construction materials.
 - C. Prior subdivision or site plan approval has been obtained for the residential and/or nonresidential development.
 - D. In order to obtain a zoning permit for a sales trailer, the applicant must provide proof that the sales trailer design has been approved by the appropriate Board.
 - E. In no event will any sales/construction office trailer remain on said premises for more than two (2 yr.) years from the date of issuance of a construction permit, or past the issuance of a certificate of occupancy for the last residential or nonresidential unit, whichever shall occur first.
7. **EMERGENCY STORAGE TRAILER (NONRESIDENTIAL) §348-5.46 B.(5)**– A trailer may be allowed upon a business site wherein there is an emergency, defined as the unintended loss or destruction of a building or part thereof that would require the use of a trailer on the site for purposes of storage of goods, equipment, or materials.

- A. Ninety (90) days and is renewable at the discretion of the Township Zoning Officer for one additional ninety-day period.
 - B. An emergency that calls for more than 180 days of trailer use involving the storage or sale of merchandise shall require application to the Township Planning Board for site plan approval prior to the expiration of the first 90 day permit.
8. **TEMPORARY RESIDENCE TRAILER §348-5.46 B.(8)** – one trailer may be allowed upon the premises of a one- or two-family residential dwelling for temporary residential occupancy in the event of a total or partial destruction of the residential dwelling.
- A. Township Code Enforcement Officer and Zoning Officer, upon application by the affected resident, shall determine whether approval is granted to use the trailer.
 - B. Approval will be granted for a period of 180 days and is renewable at the discretion of the Township Code Enforcement Officer and Zoning Officer for an additional 90 day periods.
9. **MOBILE HOME WITHIN MOBILE HOME PARK** – The application for a zoning permit must include:
- A. Written consent from park management.
 - B. Trailer floor plan (please label dimensions and use of each room)
 - C. Elevation drawings (side views) or photographs
 - D. Mobile home park plan / site plan
 - E. Plot plan showing location of proposed trailer, trailer dimensions, carport, decks, setback distance from road, clearance distance between shed and other trailers

10. EXEMPTIONS FROM PROHIBITION.

Trailers exempted from this article are as follows:

- (1) Trailers located inside mobile home parks or trailer camps which are conducted, maintained and licensed in full and complete compliance with the Code of the Township of Toms River.
- (2) Trailers which are in the process of being loaded or unloaded and which are registered with the New Jersey Division of Motor Vehicles or the equivalent agency of any other state and which are capable of traveling over a road or highway.
- (3) Recreational vehicles subject to §348-5.23 of this Chapter.
- (4) Trailers offered for sale or rent or awaiting servicing, which are located on premises owned or leased by a person in the business of trailer sales, rental or servicing.

Excerpts from trailer ordinance 4467-14 :

CONSTRUCTION TRAILER – A mobile trailer, container or modular unit temporarily located at a construction site and utilized for storage, office or warehousing purposes, but not as a sales trailer.

PORTABLE STORAGE CONTAINER – Any trailer, container, storage unit or portable structure (commonly known as PODS®) with or without wheels designed to be used for short term storage of tangible property and not for occupancy by persons, and without a foundation.

SALES TRAILER – A mobile trailer or modular unit temporarily located at a construction site and utilized as a sales or rental center and open to the general public. A sales trailer may be used in part as a construction trailer.

§348-5.46 (Location of trailers restricted).

No trailers shall be allowed to exist at any location within the Township of Toms River, except as set forth herein.

A. Exemptions from prohibition.

Trailers exempted from this article are as follows:

- (1) Trailers located inside mobile home parks or trailer camps which are conducted, maintained and licensed in full and complete compliance with the Code of the Township of Toms River.
- (2) Trailers which are in the process of being loaded or unloaded and which are registered with the New Jersey Division of Motor Vehicles or the equivalent agency of any other state and which are capable of traveling over a road or highway.
- (3) Recreational vehicles subject to §348-5.23 of this Chapter.
- (4) Trailers offered for sale or rent or awaiting servicing, which are located on premises owned or leased by a person in the business of trailer sales, rental or servicing.

B. Permitted temporary uses.

A trailer shall be permitted to be used temporarily in the following circumstances:

- (1) A construction trailer as defined herein (§ 348-2.3) may be allowed upon a site where there is active construction of a nonresidential building, provided that site plan approval has been obtained, where necessary, and that such trailer shall be used only in connection with such construction and shall not remain upon the premises for longer than two weeks past the

completion of said construction. In no event will any trailer used in connection with nonresidential development remain on said premises for more than two years from the date of issuance of a construction permit or zoning permit, or past the date of issuance of a certificate of occupancy, whichever shall occur first.

(2) A trailer, container or modular unit utilized for storage of merchandise shall be permitted to be used for a period of no longer than 30 days in connection with a commercial sale provided the goods within the trailer, container or modular unit are the merchandise of a business located within a building on the subject property. This provision, however, shall not be used by a single commercial enterprise more frequently than two times per calendar year, and there shall be a minimum of 60 days between such sales events. There shall be a maximum of one trailer per premises at any one time, regardless of how many commercial enterprises are located on the premises. For these commercial sales events, the Township Planner or Township Zoning Officer shall review the application for a trailer permit to make certain that the temporary location of a trailer and its related sales activities will not adversely affect the approved site plan.

a. No temporary merchandise trailer shall be located within any designated fire lane, vehicular circulation aisle or parking space.

b. A temporary merchandise trailer shall not be located closer than the required front parking setback line or 25 feet from any street right-of-way, whichever is greater, and shall not be located within 15 feet from any side or rear property line.

(3) A trailer utilized for storage may be allowed upon a site where there is active construction of a residential development, provided that prior subdivision or site plan approval has been obtained and that such trailer shall be used only in connection with such development and shall not remain upon the premises for longer than two weeks past the completion of the last residential unit. In no event will any trailer, used in connection with a residential development, remain on said premises for more than two years from the date of construction of the first residential unit, or past the issuance of a certificate of occupancy for the last residential unit, whichever shall occur first.

(4) A trailer or trailers may be allowed upon a premises as a sales and/or construction office when said trailer is part of the equipment of any person, persons, corporation or partnership that is in the business of constructing residential and nonresidential buildings, provided that the use of the trailer meets the requirements of this Chapter, and that said trailer is not used for storing construction materials, and that prior subdivision or site plan approval has been obtained for the development. Where a sales trailer is proposed, site plan or subdivision approval shall identify the location of said trailer and the location and surface materials of parking areas and pedestrian ways in order to provide effective and safe access not only for the public but for emergency service vehicles as well. In no event will any trailer, used under the terms of this paragraph, remain on said premises for more than two years from the date of issuance of a construction permit, or past the issuance of a certificate of occupancy for the last residential or nonresidential unit, whichever shall occur first.

(5) A trailer may be allowed upon a business site wherein there is an emergency, defined as the unintended loss or destruction of a building or part thereof that would require the use of a trailer on the site for purposes of storage of goods, equipment, or materials. Where such emergency use of a storage trailer is requested, the Township Zoning Officer, upon application, shall determine whether approval is granted to use the trailer. This approval will be granted for a period of 90 days and

is renewable at the discretion of the Township Zoning Officer for one additional ninety-day period. An emergency that calls for more than 180 days of trailer use involving the storage or sale of merchandise shall require application to the Township Planning Board for site plan approval prior to the expiration of the first 90 day permit.

(6) A trailer for the storage of construction materials or household items may be allowed upon the premises of a one- or two-family residential dwelling. Where such trailer is related to the construction of a new one- or two-family residential dwelling, the trailer permit shall be granted for a period of 180 days and is renewable for additional ninety-day periods. Said trailer shall be removed prior to the issuance of the certificate of occupancy. Where such trailer is related to the renovation or remodeling of an existing one- or two-family residential dwelling, the trailer permit shall be granted for a period not to exceed 90 days. One additional ninety-day period is permitted.

(7) One portable storage container as defined herein (§ 348-2.3) may be allowed upon the premises of a one- or two-family residential dwelling. The permit for a portable storage container shall be granted for a period not to exceed 30 days and is not renewable. A motor drawn vehicle conforming to the provisions of §348-5.26 is exempt from this section.

(8) One trailer may be allowed upon the premises of a one- or two-family residential dwelling for temporary residential occupancy in the event of a total or partial destruction of the residential dwelling. Under the aforementioned circumstances, the Township Code Enforcement Officer and Zoning Officer, upon application by the affected resident, shall determine whether approval is granted to use the trailer. This approval will be granted for a period of 180 days and is renewable at the discretion of the Township Code Enforcement Officer and Zoning Officer for additional 90 day periods.

C. Permits; applications; fees.

Applications for the permitted use of a trailer may be obtained from the Township Zoning Officer in the form of an application for a zoning permit. The application shall be submitted to the Township Zoning Officer with a survey or site plan marked to show the location of the trailer on the site and detailing the distance of trailers from other buildings, fire hydrants, Fire Department connections and/or utilities and side and rear yard setbacks. Separate applications shall be submitted for each trailer requested to be used by the applicant. The application and permit fee shall be \$50 per trailer. Fees shall be payable to the Township of Toms River.

D. Violations and penalties.

Any person, partnership, limited liability company, corporation or other entity who shall violate any provision of this chapter, shall, upon conviction thereof, be subject to the maximum fines and penalties established under N.J.S.A. 40:49-5 and N.J.S.A. 40:69A-29, and as same shall be amended from time to time. Each and every day a violation of this ordinance shall exist shall constitute a separate violation.

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Code 348-5.23 Storage of boats and travel trailers:

The outdoor storage of an unoccupied travel trailer, camper or small boat shall be permitted on single-family properties, provided that:

(1)

*In all residential zones, except R-40A, R-40B, R-50 and R-75, such storage shall not be permitted within any required front yard.⁽¹⁾

[1]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

(2)

*A travel trailer, camper or small boat shall not exceed 28 feet in length and 10 feet in width.⁽²⁾

[2]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

(3)

*Only one such travel trailer or camper and one small boat or two small boats shall be permitted to be stored outdoors at any single-family residence.⁽³⁾

[3]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

(4)

All watercraft less than 12 feet in length, including row boats, canoes, personal watercraft, jet skis, sail boats and other such watercraft, shall be exempt from the provisions of this section when located in the R-40A, R-40B, R-50 and R-75 Zones.

(5)

*Any such vehicles stored in accordance with this section shall not be occupied and shall not be provided with utility connections.⁽⁴⁾

[4]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

(6)

Notwithstanding the requirements of § 348-5.5D of this chapter, the storage of small boats on davits over dry land and/or lagoons will be permitted.

(7)

The storage of trailers capable of transporting vessels larger than small boats is prohibited.

B.

The outdoor storage of an unoccupied recreational vehicle or motor home shall be permitted on single-family properties, provided that:

(1)

*In all residential zones, except R-40A, R-40B, R-50 and R-75, such storage shall not be permitted within any required front yard.⁽⁹⁾

[5]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

(2)

*Recreational vehicles or motor homes that exceed 28 feet in length may be stored only within the required building setback lines.⁽⁹⁾

[6]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

(3)

*Any such vehicles stored in accordance with this section shall be duly registered and shall not be occupied and shall not be provided with utility connections.⁽⁹⁾

[7]:

Editor's Note: For an explanation of the asterisk (), see the definition of "variance" in § 348-2.3.*

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