

BOROUGH OF PITCAIRN  
ORDINANCE NO. 1037

AN ORDINANCE OF THE BOROUGH OF PITCAIRN, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE REASONABLE REGULATION OF STORAGE CONTAINERS IN THE BOROUGH OF PITCAIRN, AND FURTHER PROVIDING FOR THE ENFORCEMENT OF THE SAME.

WHEREAS, the Council of the Borough of Pitcairn desires to establish regulations as to the use of storage containers within the Borough, and to provide for the enforcement of the same.

NOW, THEREFORE, be it Ordained and Enacted by the Council of the Borough of Pitcairn as follows:

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of Pitcairn, Allegheny County, Commonwealth of Pennsylvania, as follows:

SECTION 1 – DEFINITIONS. As used in this article, the following terms shall have the meanings indicated: CONTAINER - Any box, storage bin, dumpster, portable storage unit, POD®, or any other thing which occupies space and is used for the purpose of storing material or items of any nature.

SECTION 2 – REQUIREMENT. No owner or occupier of any real estate may place or cause to be placed on his/her real estate any container except in compliance with this article. No containers may be placed on public property or right-of-way.

SECTION 3 – REGULATING USE OF CONTAINERS. Any person or entity desiring to place a container on his/her property must first apply to the Building Inspector (who, for purposes of this article, shall include the Code Enforcement Officer) for a permit. It is declared to be the intent of this article that no container of any nature or size may be placed on private property except in compliance with this section. On private property, containers of four cubic feet or less may be utilized for a thirty-day period without any permit so long as the same do not constitute or amount to a public nuisance, and provided such container is situated on the owner's building lot.

SECTION 4 – FORMS OF APPLICATION. The Building Inspector is hereby authorized to prepare forms for such applications, requesting such data as the Building Inspector deems necessary in his discretion, including but not limited to limits of liability of any liability insurance policy requested, a hold-harmless provision

protecting the Borough, a provision mandating lighting or reflectors on such containers, the placement of containers, warning signs and barricades, and whether a cash or security bond to cover damages should be included. A dated application, signed by the owner of the land and the applicant, if not the owner, must provide at least the following information:

- A. Name and address of the applicant and the owner of the subject real estate, the address where the container is to be placed;
- B. The dimensions and capacity of the container to be used; and
- C. The site where the applicant wishes to place the container, the duration of time when it will be in place and what materials will be stored in the container.

SECTION 5 – ISSUANCE OF PERMITS. Based on the application and all the circumstances, the Building Inspector may issue a permit in accordance with this chapter. The Building Inspector may place such further restrictions on the permit as he sees fit to assure compliance with the standards of this article. Permits shall be valid for no longer than 30 days; a permit may be renewed by filing an application with the Building Inspector. A fee is hereby set in the amount of \$30 for each permit and each renewal, payable upon presentation of the application. Borough Council may change this fee from time to time at its sole discretion by simple resolution of Council.

SECTION 6 – CONSIDERATIONS BEFORE ISSUANCE OR RENEWAL. The Building Inspector in his discretion may issue a permit, refuse to issue a permit, refuse to renew a permit, or move to rescind a permit by taking into consideration the following circumstances and any other factors or conditions he deems to be relevant:

- A. If the container, due to its size or proposed location, has or likely will unduly interfere with pedestrian or vehicular traffic or parking;
- B. If the applicant's activity or proposed activity or use produces or likely will produce or contain hazardous or noxious conditions (smoke, dust, odors); and
- C. The circumstances surrounding the applicant's need for a container and the availability of alternate means of storing.

SECTION 7 – APPEALS.

Any person aggrieved by the decision of the Building Inspector may appeal to the Zoning Hearing Board by filing such appeal in the office of the Borough Secretary and paying an appeal fee as prescribed for appeals to the Zoning Hearing Board within 30 days of the decision of the Building Inspector.

SECTION 8 – VIOLATIONS AND PENALTIES. Any person or entity found to be in violation of this article shall be subject to a civil fine in the amount of \$600 for each day such a container remains without a permit as set forth herein. Each day of violation shall constitute a separate and distinct offense.

SECTION 9 – SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such holding shall not affect the other provisions or applications of this Ordinance which can be given effect without the

invalid provision or application, and to this end, the provisions of this Ordinance are declared severable.

SECTION 10 – REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

ORDAINED AND ENACTED THIS 28<sup>th</sup> day of September, 2020.



BOROUGH OF PITCAIRN

Dona Galia  
President, Borough Council

Approved as to form:

Mayor Borough of Pitcairn  
Mayor, Borough of Pitcairn