

**COMMISSIONERS OF OXFORD**

**Ordinance No. 1504**

**Introduced by: Gordon Fronk**

**Date: April 14, 2015**

**AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTION 19 OF THE OXFORD ZONING ORDINANCE TO ADD DEFINITIONS FOR “LARGE REFUSE CONTAINERS,” “PORTABLE STORAGE CONTAINERS,” AND “PORTABLE TOILETS” AND TO AMEND THE ZONING ORDINANCE BY ADDING SECTION 8.04 TO REGULATE THE PLACEMENT OF LARGE REFUSE AND STORAGE CONTAINERS, AND PORTABLE TOILETS ON ANY PRIVATE PROPERTY OR ANY PUBLIC STREET, ROADWAY OR ALLEY WITHIN THE TOWN**

Introduced, read first time, ordered posted, and public hearing scheduled on May 12, 2016 at 6:00 p.m. at the Oxford Town Meeting Room, Market Street, Oxford, Maryland 21654.

By Order \_\_\_\_\_  
Town Clerk

I hereby certify that the foregoing Ordinance Number 1504 of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Attest: \_\_\_\_\_  
Cheryl Lewis, Clerk/Treasurer  
Town of Oxford

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ORDINANCE NUMBER 1504

INTRODUCED BY: Gordon Fronk

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**AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTION 19 OF THE OXFORD ZONING ORDINANCE TO ADD DEFINITIONS FOR “LARGE REFUSE CONTAINERS,” “PORTABLE STORAGE CONTAINERS,” AND “PORTABLE TOILETS” AND TO AMEND THE ZONING ORDINANCE BY ADDING SECTION 8.04 TO REGULATE THE PLACEMENT OF LARGE REFUSE AND STORAGE CONTAINERS AND PORTABLE TOILETS ON ANY PRIVATE PROPERTY OR ANY PUBLIC STREET, ROADWAY OR ALLEY WITHIN THE TOWN**

WHEREAS, pursuant to Md. Code Ann. Local Government Article, §§ 5-211 and 5-213, the Town of Oxford has the authority to adopt regulations concerning zoning and building construction; and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend Section 19 of the Oxford Zoning Ordinance to add definitions for “large refuse containers” and “portable storage containers” and to amend the Zoning Ordinance by adding Section 8.04 to regulate the placement of large refuse and storage containers, and portable toilets, on any private property or on any public street, roadway or alley within the Town.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

**Section 1:** Section 19.00 of the Oxford Zoning Ordinance is hereby amended to include the following definitions:

***Large Refuse Containers. A refuse container with a capacity in excess of one (1) cubic yard used for collection of garbage, rubbish and/or refuse. No large refuse container shall have storage capacity greater than forty (40) cubic yards and dimensions greater than eight feet (8’) in width or height.***

***Portable Storage Container. A portable, weather-resistant receptacle designed and used for the storage or shipment of household goods, wares, building material or merchandise. No portable storage container shall have storage***

*capacity greater than 10,000 pounds, and dimensions greater than sixteen feet by eight feet by eight feet (16'x8'x8'). Portable storage container shall not include minor accessory structures or other structures as defined § 19 of the Zoning Ordinance for which a building permit is required.*

*Portable Toilets. Portable enclosures containing a chemical toilet maintained by a contractor or professional disposal agency which may be used as a temporary toilet for construction sites or large gatherings.*

**Section 1:** Section 8 of the Oxford Zoning Ordinance is hereby amended to include the following subsection 8.04 as follows:

***§ 8.04 – Portable Storage Containers; Large Refuse Containers; Portable Toilets***

***A. Placement of containers and portable toilets on private property. It shall be unlawful for any person to place or permit the placement of a large refuse container or portable storage container, or a portable toilet (as those terms are defined in § 19.00) on property which he or she owns, rents, occupies or controls without first obtaining a permit and approval from the Town Clerk, or the Planning Commission, where applicable.***

***1. An application for a permit under this subsection shall be accompanied by the applicable fee, which may be established from time to time by the Commissioners of Oxford, and by a site drawing showing the location on the property where the unit(s) will be placed, the size of the unit(s) and the distance to all applicable property lines and other buildings or structures. A separate permit shall not be required under this subsection where the property owner has obtained a building permit which authorizes the location and placement of the large refuse container or portable storage container, or portable toilet in connection with the construction, and in such instances, the building permit shall constitute the permit for the portable storage container, large refuse container, and/or portable toilet.***

***2. A permit issued under this subsection shall be valid for the following time periods:***

***a. Where the portable storage container, large refuse container, or portable toilet is used in connection with a construction project, until the expiration of a building permit, unless a more restrictive time period is imposed by***

*the Town Clerk at the issuance or the building permit, or unless an extension has been granted by the Town Clerk. The unit shall be removed within seven (7) days of the expiration of the building permit, or the issuance of a certificate of occupancy for the new construction.*

*b. Where the portable storage container or large refuse container is not used in connection with the issuance of a building permit, the permit shall be valid for ninety (90) days.*

*c. Where a portable toilet is not used in connection with the issuance of a building permit, the time limit prescribed by the permit shall be established by the Town Clerk depending upon the activity, event or reason for the permit.*

*3. No more than one portable toilet, one portable storage container and one large refuse container shall be permitted on a lot at any given time without the express permission of the Town Clerk.*

*4. Where the portable storage container or large refuse container is not used in connection with a construction project, no applicant shall receive more than one permit for such unit within a twelve (12) month period.*

*5. Notwithstanding any other limitations set forth in this subsection, the Town Clerk may approve the permanent placement or location of a large refuse container, or portable toilet, for use in connection with a commercial, maritime, educational, agricultural, industrial, or multi-family use.*

*B. Placement of containers on public street. No person shall cause or allow a portable toilet, large refuse container or portable storage container to be placed on any public street, roadway or alley without first obtaining a permit from the Town Office.*

*1. Before placing a portable toilet, large refuse container or portable storage container on any public street, roadway or alley, a person must submit an application along with any applicable permit fee established by the Commissioners of Oxford, and receive a permit from the Town Clerk after consultation with the Oxford Police Department.*

2. *A permit issued under this subsection B. will be granted for a period of fourteen (14) days. At the expiration of the fourteen-day period, applicants may seek a one-time extension of their permit for an additional fourteen (14) days by requesting an extension from the Town Clerk. No applicant shall be granted more than two (2) portable storage container or large refuse container or portable toilet permits within any twelve (12) month period at the same physical location or address. An extension of a permit shall be deemed a second permit. Notwithstanding any provision to the contrary herein, the Town Clerk may authorize the placement of a container or containers on a public street or alley for a longer period than is specified in this subparagraph in the event that the Clerk determines that the container is necessary and there is no other feasible location on site.*
  3. *No large refuse container or portable storage container shall be placed in a way which obstructs either traffic or traffic vision, nor shall any container be placed in a location that violates any parking provisions of the Maryland Transportation Article (such as parking in front of fire hydrants, blocking handicapped spaces, etc.). Containers that remain during hours after dark shall bear reflective tape so that the container is clearly visible.*
- C. *Safe and Sanitary Condition of all Containers. All containers permitted under this subsection shall be maintained in a sanitary and safe condition, free from hazardous waste or materials, or noxious odors, and all debris and trash shall be placed within the container. The applicant shall make sure that any large refuse container is emptied when full, and shall not permit any trash or rubbish to accumulate or be placed outside of the container.*
- D. *Conditions to Address Impacts. In connection with the placement of any portable storage container or large refuse container, the Town Clerk may impose such conditions as are necessary to minimize any impacts on the adjacent properties, or any impacts upon the public, including, but not limited to the establishment of time limitations, and provisions to address any stormwater runoff impacts or other potentially adverse impacts.*
- E. *Violations. Any violation of § 8.04 shall be deemed a violation of this ordinance, and punishable as provided in § 17 hereof. Each day that the violation exists shall be considered a separate violation. The Town Clerk*

*shall also be empowered and authorized to issue a stop work order to enjoin further work on site until the violations have been abated.*

ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

COMMISSIONERS OF OXFORD:

\_\_\_\_\_  
Carole Abruzzese, President

\_\_\_\_\_  
Gordon Graves, Commissioner

\_\_\_\_\_  
Gordon Fronk, Commissioner

I hereby certify that the foregoing Ordinance Number 1504 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this \_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Cheryl Lewis  
Clerk-Treasurer

Additions are shown in ***bold and italics***  
Deletions are shown as ~~strike through~~