

STORAGE CONTAINER ORDINANCE

AN ORDINANCE AMENDING THE ROBERTS ZONING CODE

BY ADDING PROVISIONS FOR TEMPORARY STORAGE CONTAINERS

ORDINANCE NUMBER 552

BE IT ORDAINED BY THE CITY OF ROBERTS AS FOLLOWS:

WHEREAS, The City of Roberts has the responsibility to adopt regulations, ordinances and other law making procedures designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, the City of Roberts desires to implement and enforce a temporary storage container ordinance to protect and promote cleanliness and safety for its patrons:

NOW THEREFORE BE IT ORDAINED that the City of Roberts Zoning Ordinance be amended as herein contained that:

Section 1. Definitions, be amended by adding the following defined terms and phrases:

TEMPORARY STORAGE STRUCTURES: A portable storage unit that does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, truck trailers, construction trailers, and bulk solid waste containers. Such structures shall not be considered a building.

CARGO CONTAINER: A container intended for multi-modal transportation via sea going vessel, train, and truck-trailer. These containers are self-contained without axles or wheels.

PORTABLE STORAGE CONTAINER: A self-storage container that is delivered to and retrieved from a home or business for long term off-site or on-site storage. Portable Storage On Demand or PODS are a familiar trade name for such containers. These containers are not on a chassis and do not have axles or wheels.

SEMITRAILER: A mobile trailer of fifty-three (53) feet or less in length with a chassis, axles, and wheels that is towed by a truck or tractor.

CONSTRUCTION TRAILER/CONTAINER/PORTALBLE STRUCTURE: A trailer, portable temporary container, or portable structure with or without axles and wheels intended to support construction activity at a site with an active building permit.

BULK SOLID WASTE CONTAINER: A container intended for construction waste material or other refuse, excluding garbage, for the purpose of removing said material from a site.

WIDE OR HIGH LOADS: This term as used in the ordinance means any non-attached materials that exceed the height or width of the portable storage container, semitrailer, cargo trailer, construction trailer or any trailer identified above.

Section 2. That the following Section be added to the Roberts Zoning Ordinance in its entirety:

Storage on Residential use properties

Only accessory storage buildings as defined in Roberts zoning ordinance shall be permitted as accessory storage on property in residential zones of the city, or on any property within the city the primary use is residential. Cargo containers, railroad cars, truck vans, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used as accessory storage buildings.

14-424. Temporary Storage Structures. Temporary storage structures are intended to provide temporary storage of household goods on residential property and business specific goods on professional, commercial, or industrial used and/or zoned lands. Such temporary structures shall not interfere with the normal operation of the permanent use on the property and shall not be detrimental to property or improvements in the surrounding areas. There shall also be no risk of injury to persons as a result of such storage.

The following conditions shall apply to all temporary storage structures:

1. Cargo containers shall not exceed industry standards for width and height, and shall not exceed fifty-three (53) feet in length. The use of such containers shall be limited to commercial or industrial used land. Such containers shall be located to the rear or side of the principal building and set back a minimum of five (5) feet from side and rear property lines. No wide or high loads will be allowed.
2. Portable storage containers shall not exceed industry standard for width, height and length, not to exceed 10' wide by 10' high by 20' in length in residential used land. The use of such containers shall be limited to residential, professional, or commercial used land. On commercial and professional used land, such containers shall be located to the rear or side of the principal building and set back a minimum of five (5) feet from side and rear property lines. On residential used land, such containers shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. There shall be a maximum of one (1) container per site.

The use of such containers shall be limited to no more than sixty (60) days in any calendar year. In the event the owner of the property suffers a catastrophic loss due to fire, flood, or other physical calamity, the owner shall obtain a demolition permit and/or building permit from the City of Roberts. Such containers shall be removed within one (1) week of the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion.

3. Semi-truck trailers shall not exceed fifty-three (53) feet in length. The use of trailers shall be limited to commercial or industrial used land. No wide or high loads will be allowed.

4. Construction trailers/containers/portable structures may be used on residential, professional, commercial, or industrial zoned land provided there is an active building permit in place. Such structures shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. Such structure shall be removed within one (1) week of the building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion. No wide or high loads will be allowed.

5. Bulk solid waste containers may be used on residential, professional, commercial, or industrial used land. Such containers shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. Such container used in conjunction with a demolition or building permit shall be removed prior to the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion.

Bulk solid waste containers may also be used for the removal of miscellaneous waste without a demolition or building permit. In this case, the use of such containers shall be limited to no more than forty-five (45) days in any calendar year.

No temporary storage structure shall be located so as to interfere with traffic visibility.

Section 3. This ordinance shall take effect immediately after its final passage and required public hearing, the welfare of the City of Roberts requiring it.

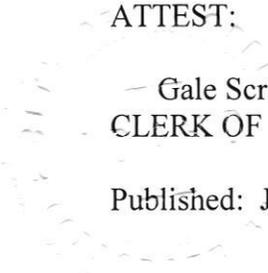
Section 4. Pre existing temporary storage containers that are in place before final passage and publication of this ordinance shall be exempt from this ordinance. If an exempted storage container is removed or deemed unserviceable, it shall not be replaced and no “grandfather rights” shall attach thereto.

Section 5. Penalty for violation shall be an infraction on the first and second notice with a fine of \$100. Upon a third notice of violation, the owner shall be charged with a misdemeanor with a fine no less than \$300 and up to \$1000; or as defined in Idaho Code for misdemeanors, at the time of occurrence. The penalty structure as set forth above is for a period of three (3) years after which each violation shall be deleted from consideration after the passage of the three (3) year period.

DATED: December 11, 2018


Robert (BJ) Berlin
MAYOR OF THE CITY OF ROBERTS

ATTEST:


- Gale Scrivner
CLERK OF THE CITY OF ROBERTS



Published: January 18, 2019