

INTRODUCED BY: Alderman Gosh

**AN ORDINANCE ADOPTING A NEW SECTION 355.165 OF THE MUNICIPAL CODE OF THE CITY OF WARSON WOODS PERTAINING TO PORTABLE STORAGE CONTAINERS**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, AS FOLLOWS:**

**Section One.** Title III, "Traffic Code" of the Municipal Code of the City of Warson Woods is hereby amended by enacting a new Section 355.165 "Parking and Storage of Portable Storage Containers" to read as follows:

**Section 355.165 Parking and Storage of Portable Storage Containers**

1. As used herein, the phrases below shall have the following definitions:

*Hard Surface.* A surface as defined in Section 355.110.

*Portable Storage Containers.* A portable storage container is a transportable enclosure rented for use as temporary, on-site storage. Portable storage containers are also commonly referred to using the trade-name "PODS."

2. *Permit Required.* Any owner or occupier of residential property who causes or allows a portable storage container to be parked, placed, or stored on a residential lot must obtain within five (5) business days, a portable storage container permit from the City. Such permit shall permit a portable storage container to be parked, placed, or stored within the City for up to sixty (60) days and shall include the portable storage container's serial/rental number, the name and address of lot owner/occupant, date of its placement on the lot, date that removal is required, and local telephone number of the provider of the portable storage.

a. A portable storage container may be parked, placed, or stored on a residential lot abutting the right-of-way for more than sixty (60) days if the residence is under construction or reconstruction pursuant to a valid building permit. The portable storage container shall be removed no later than ten (10) days after the expiration of the building permit or substantial cessation of construction for a period of more than sixty (60) days, whichever is sooner.

b. Notwithstanding anything above, the permit period may be extended by the City for additional periods of up to sixty (60) days upon good cause shown.

c. There shall be no fee for the permit; however, the City Clerk is authorized to pass through all City costs to any person and/or lot owner who causes the City to incur costs for inspections, clean up, removal or to otherwise remedy violations of this Section.

3. No portable storage container may be parked, placed, or stored on the paved surface of any public or private street of the City or wholly within the public rights-of-way of the City; provided, however, that a portable storage container parked, placed, or stored on a residential driveway may slightly encroach into the right-of-way provided that it does not limit the sight

distance for motorists or pedestrians or otherwise harm the health, safety and welfare of the neighborhood. Any portable storage container or construction dumpster that is placed within the City must be placed on a "hard surface," as defined in Section 355.110.

4. All residential lots permitted to have a portable storage containers parked, placed, or stored on such residential lot must display the permit on the inside of a window or door of the residence, which permit shall be visible from the right-of-way.

5. In addition to the requirements of subsection 3 above, all portable storage containers on residential lots must also meet the following requirements:

- a. The portable storage container shall only be moved, delivered or removed between the hours of 7:00 a.m. and 6:00 p.m.;
- b. The portable storage container shall not be used for living quarters;
- c. The portable storage container shall not be used to store flammables, explosives, fire arms, or noxious chemicals;
- d. No items, equipment, or materials may be stored outside the portable storage container at any time.
- e. The portable storage container shall not be externally illuminated or have any utilities connected to it; and
- f. The portable storage container shall not exceed 8 feet in height, 8 feet in width or 12 feet in length.

7. Portable storage containers kept in violation of this Section shall be subject to permit revocation and/or immediate removal in addition to being a violation punishable pursuant to Section 100.220 of the Municipal Code of the City of Warson Woods. Failure to obtain a permit pursuant to this Section is a violation punishable pursuant to Section 100.220 of the Code. The City's costs of enforcement of this Section and/or the cost of bringing the premises or condition of residential property into compliance, including the City's administrative costs of inspections and attorneys' fees, shall be a joint and several obligation of all liable persons.

**Section Two.** This Ordinance shall be in full force and effect on and after its passage and approval by the Board and the Mayor.

THIS BILL PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI THIS 17th DAY OF JUNE, 2014.

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Laurance M. Howe, Mayor

ATTEST:

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Kathy Mahany, City Clerk