

PORTABLE STORAGE CONTAINER CODE

846.01 TITLE, PURPOSE, AND OBJECTIVES

- a) This chapter shall be known and may be cited as the “North Royalton Portable Storage Container Ordinance”.
- b) It is the purpose of this chapter and the policy of the City to establish standards for the licensing, regulation and control of portable storage containers and the objectives of this chapter are to prevent safety and fire hazards, disruption of pedestrian or vehicular traffic, and disorderly or unsightly temporary structures within the City.

846.02 CONSTRUCTION AND SEVERABILITY

- a) This chapter shall be liberally construed and applied to promote its purpose end objectives.
- b) If any provision of this Chapter or the application thereof to any person or circumstance is held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and neither the remainder of this chapter nor the application of such provision to other persons or circumstances shall be affected thereby.
- (c) Conflicts with Building and Zoning Code. All provisions of this chapter which conflict with other provisions of the building and zoning codes of the City shall be construed to provide maximum coordination and compliance with those building and zoning codes.

846.03 DEFINITIONS

- (a) The term “portable storage container”, as used herein, shall be defined as a transportable, fully-enclosed, box-like container that is (i) designed for temporary storage of personal property household items; wares, and building materials or merchandise, (ii) typically rented to owners or occupants of property for their temporary use, and (iii) delivered and removed by truck. Such containers are uniquely designed for their ease of loading to and from a transport vehicle.

846.04 PORTABLE STORAGE BUSINESS LICENSE REQUIRED.

- (a) No person shall place a portable storage container in the City without having first obtained a license therefore as provided in this chapter, which license shall be designated as a "portable storage business license."

846.05 LICENSING AUTHORITY ESTABLISHED.

- (a) The Building Commissioner is authorized to accept and consider an application(s) for a license(s) under this chapter, to conduct investigations thereon, and to issue or deny issuance of such licenses based upon the criteria set forth in this chapter.

846.06 REGISTRATION, LICENSE, APPLICATION.

- (a) All portable storage container companies shall register and obtain a license to operate in North Royalton and must abide by the provisions of this Chapter to maintain that license. Such application for a license shall be made on a form provided by and approved by the Building Commissioner. The application shall include but not be limited to the following information:

- (1) name and business address of the person or entity;
- (2) telephone numbers of company personnel enabling the City to contact the company or a representative during or after normal business hours;
- (3) email contact information;
- (4) proof of liability insurance of \$1,000,000 or more;
- (5) proof of State or County vendor’s license;
- (6) One time fee of \$150.

- (b) No person shall permit another to contract or engage in the business of portable storage containers under his or her registration. Obtaining of permits for an unregistered contractor shall result in the suspension of the registration of the contractor responsible for such action.

Such notification must include the customer name, address, telephone number and the scheduled delivery or, pickup date of the portable storage container. The license shall require a one-time fee of \$50.

846.07 CONDITIONS AND REGULATIONS

- (a) Portable storage containers that are located outside of an enclosed building or structure, and are visible from adjacent properties or the public right of way, shall be allowed only as specified in this section and subject to the following regulations:

(1) General requirements. The following general requirements shall apply to all portable storage containers regardless of district:

- (a) Portable storage containers: shall be located in such a manner as to not impair a motor vehicle operator's view of motor vehicles, bicycles or pedestrians upon entering or exiting a right-of-way.
- (b) Portable storage containers shall be located in such a manner as to not obstruct the flow of pedestrian or vehicular traffic.
- (c) Portable storage containers are to be used for storage incidental to the principal use on the same zone lot. Storage trailers shall not be used for retail sales or any other principal use.
- (d) Portable storage containers shall be allowed on the property to enable the property owner or occupant to mitigate further damage to personal property or real property and to prevent the theft of tools, materials, supplies or other property utilized in the mitigation, restoration or renovation of the property.
- (e) Portable storage containers placed on residentially zoned property shall not exceed eight and one half (8 1/2) feet in height, and sixteen (16) feet in width, and sixteen (16) feet in length.
- (f) Portable storage containers shall not be placed in front of the main building line or in the side yard of premises in violation of other provisions of the building and zoning codes of the City, nor shall this chapter be deemed to grant any special exemption from the other ordinances and regulations of the City concerning temporary signs and structures.
- (g) Requirements by district. The following regulations shall apply depending upon whether a portable storage container is located in a residential or non-residential district:

(1) Residentially zoned property. Portable storage containers shall be allowed on residentially zoned parcels in accordance with the following:

- (a) Time limitation: No more than thirty (30) continuous days, or a longer period of time if placed in conjunction with an active building permit for building new construction, remodeling existing buildings, or in conjunction with the restoration or mitigation to prevent further damage to the property (both real and personal property) following a natural disaster, fire, water leak, sewage back-up, electrical failure or other similar damage to the property and not to exceed twenty-four (24) hours before and after such activity in accordance with such building permit. As with trash dumpsters and portable toilets, as otherwise provided for in the ordinances of the City, portable storage containers may be permitted to exist and coincide with a valid building permit for purposes of reconstruction and or remodeling of said residence.
- (b) Number. One portable storage container for each 2,000 square feet of floor space in the residence up to a maximum of three containers at any one time. However, there shall be no limitation on the number of portable storage containers if the use is in conjunction with the restoration of, or mitigation to prevent further damage to the property (both real and personal property) following a natural disaster, fire, water leak, sewage back-up, electrical failure or other similar damage to the property.

(2) Non-residentially zoned property: portable, storage containers shall be permitted on non-residentially zoned parcels in the same manner that other temporary structures are permitted, except that nothing in this section shall amend or alter other limitations and regulations that may be imposed or required by the building and zoning codes of the City.

846.08 EXCEPTIONS

- (a) In the case of emergencies, such as floods, wind storms, fires, or other acts of God, and man made disasters such as sewage back-ups, water leaks, electrical overloads and other such events that damage property, code enforcement officials may be allowed to relax enforcement of the provisions of this regulation and make reasonable allowance for the extension of all time periods, limits on numbers of containers, locations of containers on the property and other appropriate waivers where necessary ,to assist in recovery, restoration, mitigation of further damage and construction efforts.

846.09 ENFORCEMENT; ISSUANCE OF CEASE AND DESIST ORDERS

- (a) When the Building Commissioner finds a tenant, occupier of land, owner of property or registered person that is in violation of the provisions of this chapter, the Building Commissioner may issue an order to cease and desist, and direct that those person(s) not complying to remove the violating container no later than ten (10 business days from the date said notice of violation was delivered or posted on the subject property.
- (b) When the affected user fails to comply with a notice of violation and order to remove, the Building Commissioner may see immediate injunctive relief and upon court order, remove the offending container to a location where it shall be held until further order of the court.

846.10 PENALTIES

- (a) Whoever violates or fails to comply with any of the provisions of this Chapter 846 shall, for the first offense, be guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty (60) days, or both. For a second or subsequent offense, such person shall be guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six months, or both. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

In addition to such penalties, the Municipality shall also have the right, by appropriate action at law or in equity, to enjoin, correct, restrain and abate any such violation.