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ORDINANCE 68 REGULATING THE PLACEMENT AND USE OF PORTABLE STORAGE UNITS

Section 68.01: PURPOSE AND INTENT. The following regulations have been adopted for the protection of public and private property, and the promotion of health, safety, order, convenience, and the general welfare as these may relate to the placement of portable storage units on public and private property.

Section 68.02: DEFINITIONS. The following definitions shall apply under this ordinance.

“Applicant” shall mean the person that owns, rents, occupies, or controls the property on which the Portable Storage Unit is placed.

“Supplier” shall mean the company or vendor that supplies the Portable Storage Unit to the property, if applicable.

“Portable Storage Unit” shall mean a storage unit or container designed, constructed, or reconstructed to be capable of movement via towing, hauling, or attachment to a vehicle from one site to another and designed to be used without a permanent foundation for the storage or shipment of household goods, wares, building materials or merchandise. Portable storage units shall include semi-trailers and similar units which are being used primarily for storage rather than transport.

Section 68.03: EXCEPTIONS. The following Portable Storage Units are exempt from the permit requirements of this ordinance:

- a) Portable Storage Units that are actively being unloaded and will be located on the Applicant’s property for 7 days or less are exempt from the requirements of these regulations.
- b) Portable Storage Units for sale or rent or awaiting service that are located on premises owned or leased by a person or business legally engaged in the sale, rental, or service of Portable Storage Units.
- c) Semi-trailers that are licensed and road-ready.
- d) Properly licensed fish houses, properly licensed and road-ready recreational vehicles and trailers, and accessory structures that are in compliance with City Code.
- e) Portable Storage Units which are contained within a building.

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- f) Two or fewer Portable Storage Units located on private property in the M2 Industrial District that otherwise meet the requirements of this Ordinance shall not require a permit.

Section 68.04: REQUIREMENTS FOR PERMITTING OF PORTABLE STORAGE UNITS.

Subd. 1. No person shall deliver, place, or move a Portable Storage Unit on to any property within the City of Albany without first securing a permit from the Zoning Administrator. Permits shall only be issued for use during construction projects occurring on the property.

Subd. 2. An application for a Portable Storage Unit permit shall contain the following:

- a) the name, address, and telephone number of the Supplier,
- b) the name of the Applicant to whom the Portable Storage Unit is supplied,
- c) whether the Applicant owns, rents, occupies, or controls the property,
- d) the address that the Portable Storage Unit will be placed,
- e) the expected delivery date and the expected removal date,
- f) active building permit number, if applicable, and
- g) a sketch depicting the location and the placement of the Portable Storage

Unit.

Subd. 3. The fee for a Portable Storage Unit permit shall be determined by the Council from time to time and set forth in Appendix A. The fee for the Portable Storage Unit permit must be paid before the permit may be issued.

Subd. 4. The effective date of the permit shall be the date of the Zoning Administrator's written approval.

Section 68.05: REQUIREMENTS FOR PLACEMENT OF PORTABLE STORAGE UNITS. The following requirements shall apply to the Portable Storage Units within the City;

Subd. 1. A Portable Storage Unit permit shall be valid for a period not exceeding 90 days from the effective date. The initial Portable Storage Unit permit may be issued by the Zoning Administrator.

Subd. 2. An application to extend the initial Portable Storage Unit permit must be approved by the Zoning Administrator. The Zoning Administrator may permit an extension of

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up to an additional 90 days if additional time is necessary for completion of construction on the property where the Portable Storage Unit is located.

Subd. 3. In no case shall an Applicant be permitted to have a Portable Storage Unit on the same property for more than 180 days in any 365 day period. Except in the M2 Industrial District, no more than one Portable Storage Unit shall be allowed on the same property at one time. In the M2 Industrial District, no more than two Portable Storage Units are allowed on the same property at one time. Portable Storage Units shall not be stacked.

Subd. 4. The Applicant and the Supplier, shall be jointly and severally responsible for ensuring that the Portable Storage Unit is maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing, or other holes or breaks, at all times.

Subd. 5. No Portable Storage Unit shall be used to store solid waste, construction debris, demolition debris, recyclable materials, or business inventory or commercial goods being sold either on the property or being stored for the purposes of sale on a property other than that of where the Portable Storage Unit is located.

Subd. 6. No Portable Storage Unit shall be used to store any illegal or hazardous material.

Subd. 7. No Portable Storage Unit may be placed on public right of way, block a public sidewalk or be placed in a location that restricts the sight lines of an intersection.

Subd. 8. Portable Storage Units shall be placed no closer than 10 feet from the front property line and shall comply with side and rear set back requirements for structures in the zoning district in which it is located.

Subd. 9. Upon reasonable notice to the applicant, the City may inspect the contents of any Portable Storage Unit at any reasonable time to ensure that it is not being used to store unpermitted materials.

Section 68.06: VIOLATIONS AND PENALTIES. Any person or corporation who shall violate or refuse to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor as punishable by state statute. Each day a violation is permitted to exist shall constitute a separate offense.

Section 68.07: DECLARATION OF NUISANCE.

Subd. 1. The delivery, placement and maintenance of Portable Storage Units in violation of this Chapter is declared to be a public nuisance because it: (1) obstructs views on streets and private property, (2) creates cluttered and otherwise unsightly areas, (3) prevents the full use of residential streets for residential parking, (4) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (5) decreases adjoining

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landowners' and occupants' use and enjoyment of their property and neighborhood, and (6) otherwise adversely affects property values and neighborhood patterns.

Subd. 2. Any criminal penalty notwithstanding, the City of Albany may determine a Portable Storage Unit delivered, placed, or maintained in violation of this Chapter to be a public nuisance and order the nuisance abated. The cost of the remedy shall be a lien against the subject real estate as provided by Code Section 70.05, Subd. 2, as it may be amended from time to time, but the assessment shall be payable in a single installment.

Section 68.08: SEVERABILITY. If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.”