

CITY OF HARTFORD
COUNTY OF VAN BUREN
STATE OF MICHIGAN

ORDINANCE No. 305 - 10

AN ORDINANCE REGULATING USE OF TEMPORARY STORAGE UNITS, COMMONLY KNOWN AS APODS, INCLUDING SEMI-TRAILERS TO COMPLY WITH HEALTH, SAFETY AND AESTHETICS OBJECTIVES OF THE CITY.

WHEREAS, the City Council has determined that placement of temporary storage units, commonly known as APODS, as well as semi-trailers being used for storage, reduces the aesthetic quality of the City, as well as creating the potential for storage of hazardous materials, unless the duration and manner of use of said facilities is limited.

WHEREFORE, be it resolved that the following ordinance is adopted:

Section 1. Definitions

A Temporary Storage Unit subject to this ordinance includes a transportable unit designed and used primarily for temporary storage of building materials (before they are utilized for building purposes), household goods, and other such materials for use on a limited basis. For purposes of this ordinance, the term temporary storage unit shall also include semi-trailers being used for storage. Any such temporary storage unit shall not be considered an accessory structure as provided in the City's zoning ordinance.

Section 2. Permit Required

No temporary storage unit shall be placed on a parcel in the City for more than forty eight (48) hours without having first obtained a permit for such placement from the City Manager or

his designee. The fee for such permit shall be \$15.00.

Section 3. Placement of Temporary Storage Units

- A. Temporary Storage Units shall not be permitted in any residential zoning district.
- B. Temporary Storage Units shall not be located within any City street or right-of-way at any time.
- C. The location of any Temporary Storage Unit must comply with the applicable setback requirements established for accessory structures within the applicable zoning district.

Section 4. Prohibitions

No Temporary Storage Unit shall be used for retail sales, or to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for property where the Temporary Storage Unit is located, or any illegal or hazardous material. Upon reasonable notice to the Applicant, the City may inspect the contents of any Temporary Storage Unit at any reasonable time to ensure that it is not being used to store said materials. At no time shall temporary storage unit may be used for any of the purposes set forth herein.

Section 5. Penalty Clause

Any violation of this ordinance or any part thereof shall be constitute a civil infraction punishable by a fine of \$100.00. In addition, the City specifically reserves the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this ordinance.

Section 6. Severability Clause

Should any portion of this ordinance adopted hereby be declared unconstitutional, illegal or of no force and effect by a Court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

Section 7. Effective Date and Repeal of Conflicting Ordinances

This ordinance shall take effect on February 22, 2010. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Motion by Latus, supported by Hall, to adopt the resolution.

Ayes: Austin; Dockter; Hall; Latus; Miller; Pleyer and Johnson

Nays: None Abstain: None

Resolution declared adopted.

RoxAnn Rodney-Isbrecht, Clerk