

ORDINANCE NO. 2007-12

AN ORDINANCE TO AMEND ORDINANCE NO. 2005-16 AND TO PROVIDE ADDITIONAL REGULATIONS FOR THE USAGE, RENTAL, AND SALE OF TEMPORARY STORAGE CONTAINERS

BE IT ORDAINED by the City Council of the City of Gardendale, Alabama, while in regular session on the 6th day of August, 2007, at 6:00 p.m., that Ordinance No. 2005-16 be and is hereby amended to read as follows in its entirety:

SECTION 1. For purposes of this Ordinance, a "Temporary Storage Container" ("Container") shall mean a structure that is designed and constructed by the manufacturer thereof for the primary purpose of storing items or goods within the structure outside of a building. No Containers shall be located outside of a building on any property located in any zoning district of the City, except as set forth herein.

SECTION 2. Temporary Storage Containers may be located outside of a building on properties located in single-family residential and two-family residential zoning districts provided that all of the following criteria are met:

- a. The total square footage of each Container shall not exceed two hundred (200) square feet.
- b. Containers shall be placed only in the driveway and must be set back a minimum of ten (10) feet from the front property line.
- c. No Container shall remain on any such site in excess of thirty (30) consecutive days. No Container shall remain at any one location in excess of thirty (30) cumulative days in a calendar year. In the event of a hardship, emergency conditions, or other extenuating circumstances, the time limitations stated herein may be extended at the discretion of, and upon approval by, the Inspections Services department of the City of Gardendale.

SECTION 3. Temporary Storage Containers may be located outside of a building on properties located in multi-family residential zoning districts and agricultural districts provided that the criteria in Section 2 are met and provided that the location has sufficient space for adequate parking and public safety access and is in compliance with all applicable health, safety, and welfare concerns.

SECTION 4. Temporary Storage Containers, not for the purpose of rental and leasing and sale, may be located outside of a building on properties located in commercial zoning districts upon approval of the Inspections Services department provided that the location has sufficient space for adequate parking and public safety access and is in compliance with all applicable health, safety, and welfare concerns. The renting, leasing, sale, and/or storage of Containers is not allowed in mini-warehouse developments.

SECTION 5. Businesses storing Containers for the purpose of renting, leasing, and/or selling them may be located in the following Zoning Districts: I-1 (Light Industrial), and I-2 (General Industrial), provided the criteria set forth in the currently adopted Zoning Ordinance for Industrial districts are met and provided that the location has sufficient space for adequate parking and public safety access and is in compliance with all applicable health, safety, and welfare concerns.

SECTION 6. The renting, leasing, sale, and/or storage of Containers is not allowed in a PUD (Planned Unit Development District) without express approval by the City Council and provided that the criteria set forth in Section 2 are met and provided that the location has sufficient space for adequate parking and public safety access and is in compliance with all applicable health, safety, and welfare concerns.

SECTION 7. Prior to commencing business in the city, the company or firm providing Containers must secure a business license from the City of Gardendale.

SECTION 8. Prior to placing a Container on any site, the operator or other person in charge of the site must secure a permit from the Inspections Services department. It shall be unlawful for any person to place or permit the placement of a Container on property which he or she owns, rents, occupies, or controls without first securing approval from the Inspections Services department. A separate permit shall be required for each occurrence in which a Container is placed at the same site. Permits must be displayed on-site. The cost of each permit shall be fifty dollars (\$50.00) plus an issuance fee in the amount of twenty dollars (\$20.00).

SECTION 9. The operator or other person in charge of any site on which a Container is placed shall be responsible to ensure that the Container is in good condition and is free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing, or other holes or breaks. Said person shall also be responsible to ensure that no hazardous or illegal substances are stored or kept within the Container. When not in use, Containers must be kept locked.

SECTION 10. That this Ordinance shall supersede any previously adopted Ordinances in conflict with the terms, conditions, and regulations set forth herein and shall become effective immediately upon its adoption and publication or by its otherwise becoming a law.

ADOPTED AND APPROVED on this the 6th day of August, 2007.