

### 9.1.19 Cargo Storage Containers

~~Enclosed shipping containers, boxcars, cargo containers, shipping crates, semi-trailers or other movable weather-resistant containers of any kind shall not be installed, placed, or maintained on property within the Town for any purpose. PODs (portable on-demand containers) shall only be allowed on a property for a maximum of ten (10) days, while being loaded or unloaded, in the process of moving personal property.~~

#### 1. Purpose:

The purpose of the cargo storage containers standards is to establish regulations for the use of cargo storage containers within the town limits of Rockville; requiring a permit for the placement of such containers; providing standards for use of cargo storage containers; and providing enforcement for violations of this ordinance.

#### 2. Definitions:

- a. Cargo Storage Container: An all-steel container (some with wooden floors) and strength to withstand shipment, storage and handling. Such containers include reusable steel boxes, freight containers, and bulk shipping containers; originally a standardized reusable vessel that was designed for and used in the parking, shipping, movement, transportation or storage of freight, articles or goods or commodities; generally capable of being mounted or moved on a rail car, truck trailer or loaded on a ship.

**Cargo Storage Containers are not boxcars, shipping crates, semi-trailers or other movable weather-resistant containers of any kind, except as described above.**

- b. Cargo storage containers are considered accessory buildings and as such are limited to the dictates of accessory buildings for which the land on which they reside. **Any deviation from the accessory building section will be described within this section.**
  - c. Cargo Storage Container Permit: A permit to place a cargo storage container on an applicant's property, either temporarily or permanently.
  - d. Permanent: Lasting or intended to last or remain unchanged indefinitely.
  - e. Temporary: Lasting for only a limited period of time.
  - f. **In the case of cargo storage containers, the definition of behind the main residence means five feet behind the front most plane of the residential structure.**
3. **Temporary Storage Containers for Construction.** This ordinance applies to any tract of land developed for ~~commercial or~~ residential within the town limits. The location and use of cargo storage containers shall be as follows:
- a. Temporary Cargo Storage Containers for Construction: Excepting as permitted hereafter, no person shall store, maintain, or otherwise keep a cargo or shipping container temporarily on any lot or parcel of property within the Town without first having obtained and possessing an active construction building permit issued by the Town where construction is ongoing, and applicant has obtained from the Town a Cargo Storage Permit for placement of a cargo storage container.
    - i. Prior to the placement of a cargo storage container the property owner must submit an application for a permit on the form established by the Town of Rockville staff and shall include with the permit application, at a minimum, a site plan showing the location of all buildings, structures, and

- fences and the proposed location of the portable storage container, the square footage of the cargo storage container, the zone in which the real property is located, and show how the real property will comply with the terms of this ordinance.
- ii. Cargo storage containers may not exceed 46' in length.
  - iii. Permits are valid for a period not to exceed six (6) months or until 30 days after a certificate of occupancy has been granted, or a building permit has expired.
  - iv. Upon review and approval of a request for an extension; the Town of Rockville Town Clerk may grant one (1) six (6) month extension.
- b. The following are not required: (1) a foundation is not required since they are temporary structures; (2) ventilation is not required.
  - c. Placement Requirements: The cargo storage container shall only be placed on the applicant's property, setbacks are to be at least 10 feet from property line, and placement of portable storage container may not create a sight obstruction to adjoining properties. **In the case that a main or primary structure exists, the storage container must be a minimum of five (5) feet behind the front most plane of the main or primary structure and are subject to the same setback requirements as an accessory building.**
  - d. **PODs (portable on demand containers) shall only be allowed on a property for a maximum of ten (10) days, while being loaded or unloaded, in the process of moving personal property.**
4. **Agricultural Zones:** Cargo storage containers may be permanently placed in an agricultural zone only after applicant has filed for a Cargo Storage Container Permit. (The placement and installation of permanent cargo storage containers shall not be permitted until a Cargo Storage Permit and applicant has strictly complied with all terms hereunder).
    - a. Cargo storage containers cannot be stacked, and no container may exceed 46' in length.
    - b. All cargo storage containers shall be **a minimum of five (5) feet behind the front most plane of the** ~~located behind the~~ main or primary structure on the lot or parcel of land and are subject to the same setback requirements as an accessory building.
    - c. Cargo storage containers shall be free of graffiti and painted an earth tone, which blends with the surrounding landscape.
    - d. All cargo storage containers shall be structurally sound, stable, and in good mechanical and visual repair.
    - e. Cargo storage containers are considered accessory buildings and as such are limited to the dictates of accessory buildings for which the land on which they reside.
  5. **Permanent Storage Containers in Residential Zones:** Cargo storage containers may be permanently placed in any residential lot only after an applicant's application has been approved by the Town of Rockville's Planning and Zoning Commission or designee.

The placement and installation of permanent cargo storage containers in a residential zone shall not be permitted until a Cargo Storage Permit has been issued, and applicant has strictly complied with all terms hereunder within thirty (30) days of placement:

- a. All Cargo Storage Containers shall be **a minimum of five (5) feet behind the front most plane of the** main or primary structure on a residential lot or parcel of land and are subject to the same setback requirements as an accessory building.
- b. Cargo storage containers shall be free of graffiti and painted an earth tone color.
- c. All cargo storage containers shall be, structurally sound, stable, and in good mechanical and visual repair.
- d. Cargo storage containers are considered accessory buildings and as such are limited to the dictates of accessory buildings for which the land on which they reside.
- e. Cargo storage container shall not be used to store hazardous materials that are incongruent with the zoning in which it will reside.

**6. Application Procedures:**

- a. An application for a temporary or permanent cargo storage container shall be submitted to the Town Clerk or designee for review and approval.
- b. A Cargo Storage Container Permit may be applied for by a renter only with written consent of the property owner and every application must be signed by the property owner.

**7. Existing Storage Containers:** The placement and use of **a** cargo storage container placed before the date this ordinance became effective may be continued provided that no such use may be expanded, relocated or changed in any way on the property without conformity with the provisions of this ordinance.

- a. An application is submitted and approved by the planning commission **and fees paid**. ~~To be approved....~~
- b. If a container is expanded, relocated or changed then a new permit application must be applied for and accepted.

**8. Enforcement:** Any person whether owner, lessee, principal agent, employee or otherwise, who violates any of the provisions of this ordinance, or permits any such violation, or fails to comply with any of the requirements hereof, or who stores, maintains, or otherwise keeps a cargo/shipping container in violation of any detailed statement of plan submitted by owner and approved under the provisions of this ordinance shall be guilty of an infraction and, upon conviction thereof, shall be subject to punishment as provided by Utah State law.

<u>Offense Code Violation</u>	<u>Description</u>	<u>Default Severity Class</u>	<u>Suggested Fine/Bail Amount</u>	<u>Mandatory Court Appearance?</u>

NOTE: We need to discuss how a temporary unit might be allowed as part of the building permit (or not).