

Ordinance 23-01
Portable Temporary Storage Containers
New Ordinance within Code of Ordinances
Atlas Township, Genesee County, Michigan

Part 26

26.000 – PORTABLE TEMPORARY STORAGE CONTAINERS ORDINANCE

AN ORDINANCE TO REQUIRE A PERMIT TO UTILIZE PORTABLE TEMPORARY STORAGE CONTAINERS AND TO PROVIDE PENALITIES FOR VIOLATION OF THIS ORDINANCE

The Township of Atlas, Genesee County, Michigan Ordains:

26.001 – Title.

This ordinance shall be known as and may be cited as the Atlas Township Portable Temporary Storage Containers Ordinance.

26.002 – Purpose.

The purpose of this ordinance is to regulate the use of storage containers on residentially zoned and commercially zoned properties in the township, which regulations are adopted to protect the public health, safety, and welfare, and promote positive aesthetics in the township.

26.003 – Definitions.

As defined herein, "Portable Temporary Storage Container (PTSC)" is a box-like container typically delivered by truck, used to temporarily store household or other goods and items. A PTSC does not include a truck trailer, or other part of a motor vehicle, nor any type of wheeled vehicle or conveyance except when attached to a truck for delivery and removal.

26.004 – Requirements; permit application; fee.

A portable temporary storage unit, also known as a portable temporary storage container (PTSC) and sometimes called a portable on-demand storage unit, may be temporarily delivered, placed and used in any zoning district, but only in compliance with the provisions of this section.

1. A PTSC may be temporarily placed on a property to store goods, items or objects that are being moved to another location or that are being stored during building remodeling or for other purposes.
2. The placement and use of a PTSC requires an application and payment of a fee established by the township. A permit shall be issued by the Building Official upon finding that the provisions of this section have been met. The permit shall state the date of issuance, the maximum time a PTSC can remain on the property and any terms and conditions.
3. Except as stated below, a PTSC shall not remain on a property for more than sixty (60) consecutive days during a twelve (12) month period, commencing on the date the permit is issued. However, when being used to store equipment, goods and materials associated with remodeling or new construction, a PTSC may remain on a property until ten (10) days after the completion of the project. In either case, one permit extension may be granted by the Building Official for a period not more than thirty (30) additional days beyond the time originally specified, subject to the following:
 - a. The applicant has demonstrated a sufficient reason for the time extension, such as extenuating circumstances requiring additional and reasonably necessary time for storage.
 - b. That the requirements of this section were satisfied by the applicant during the initial approved period of storage.
 - c. That serious adverse effects are not likely to result from extending the period for storage.
4. A PTSC in an agricultural or residential zoned area shall not be longer than forty (40) feet, wider than eight (8) feet, nor taller than eight (8) feet. A PTSC in a non-residential zoned area shall be subject to the same maximum dimensions.
5. Not more than one (1) PTSC may be placed on a property at one time, except that in a non-residential zoned area. The Building Official may approve additional units subject to all the requirements of this section. When approving additional PTSCs, the Building Official shall find:
 - a. The applicant has demonstrated a sufficient reason for additional PTSCs, such as extenuating circumstances requiring additional storage space. Additional PTSCs permit fees may apply.

- b. That the terms and conditions of this section would be satisfied, despite additional PTSCs.
 - c. That serious adverse effects are not likely to result from additional PTSCs.
- 6. A PTSC shall not be located closer than ten (10) feet to a public or private street right-of-way, nor closer than ten (10) feet to a property line, must not obstruct traffic vision site lines.
 - 7. A PTSC shall only contain a sign that is limited to the name, address and telephone number of the owner of the PTSC. No other text or graphics referring or pertaining to any service or product other than the PTSC or the person or business entity providing the PTSC are permitted, including any advertising, logo or slogan.
 - 8. A PTSC shall not be used to store toxic or hazardous materials.
 - 9. A PTSC in an agricultural or residential zoned area shall only be used to store personal goods and property, not commercial goods, business inventory or personal property not associated with the property on which the PTSC is placed.

26.005 – Penalties.

- 1. Any person who fails to obtain a permit shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.
- 2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100.00, and not more than \$500.00, in the discretion of the Court. The fine for a repeat offense shall not be less than \$200.00, and not more than \$1,000.00, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.
- 3. Each day during which any violation continues shall be deemed a separate offense.

4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.
5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person(s) as designated by the Township Board from time to time.

26.006 – Severability.

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

26.007 – Repeal.

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

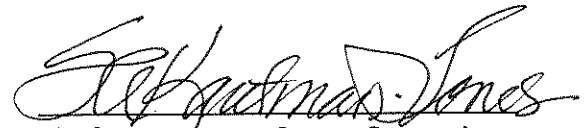
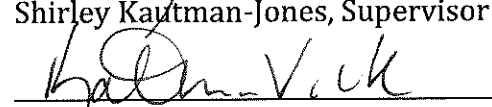
26.008 - Effective date.

This ordinance shall take effect thirty (30) days after publication.

Adopted January 17, 2023

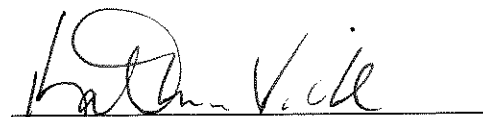
Published January 21, 2023

Effective date February 20, 2023


Shirley Kautman-Jones, Supervisor

Katherine Vick, Clerk

CLERK'S CERTIFICATION

I, Katherine Vick, the duly elected, qualified and acting clerk of the Township of Atlas, Genesee County, Michigan do certify that the above Ordinance was adopted at a regular meeting of the Township Board held in the Government Center, 7386 S. Gale Road, Goodrich, Michigan on the 17th day of January, 2023 by a majority of the members of the board present and voting.


Clerk