

***Local Law Filing**

New York State Department of State

41 State Street, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of _____ VESTAL, NEW YORK _____

Local Law No. _____ #2 _____ of the year 2018
PROPOSED LOCAL LAW "A" OF THE YEAR 2018

A Local law "A local law Chapter 24"

(Insert Title)

Be it enacted by the _____ TOWN BOARD _____ of
the _____

(Name of Legislative Body)

Town of _____ VESTAL _____ as follows:

A proposed local law to repeal and replace the indicated sections of the Code of the Town of Vestal.

Code of the Town of Vestal**-Chapter 24, Article I, Section 24-1, Definitions**

Accessory building shall be defined as a building originally constructed for use as an accessory building for the storage of materials and equipment, accessory to a primary use located on the same parcel. For purposes of this code, cargo/shipping containers, railroad cars, truck vans, converted mobile/manufactured homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures, originally built for purposes other than the storage of goods and materials, are not accessory buildings.

Container, storage shall include containers originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods, or commodities; and/or originally designed for or capable of being moved by rail, truck or ship, or by means of being mounted on a chassis or similar transport device.

Code of the Town of Vestal**-Chapter 24, Article V, Division 3, Section 24-387, Container storage**

A) Residential Zoning Districts

- (1) The placement or use of storage containers, for permanent use as an accessory storage building, in residential zoning districts shall be prohibited.
- (2) The placement or use of storage containers, as temporary storage, shall be permitted under the following circumstances:
 - (a) A structure is undergoing construction, repair, alteration, or reconstruction, for which a building permit has been issued. The storage container shall be removed from the premises upon issuance of a Certificate of Occupancy or a Certificate of Compliance, or such time as the Code Enforcement Officer deems the project complete.
 - (b) The storage container is being used to store household belongings in connection with a disaster, i.e. fire, flood, etc.. The storage container shall be removed from the premises upon issuance of a Certificate of Compliance, demolition of the structure, or such time as the Code Enforcement Officer deems the project complete.
 - (c) At the discretion of the Code Enforcement Officer, for extenuating circumstances, and/or limited time periods.
 - (d) Placement of storage container(s) in a Residential Zoning District shall be at the discretion of the Code Enforcement Officer.

B) Commercial and Industrial Zoning Districts

- (1) The following provisions shall apply to the use of storage containers for the purpose of storing materials, supplies, inventory or products:
 - (a) Permit applications for the placement of storage containers shall contain the following information:
 - a. Name, address and phone number of property owner(s).
 - b. Name, address and phone number of applicant.
 - c. A detailed list of all material and amounts of materials to be stored in the containers and the material data sheets applicable to any materials to be stored.
 - d. A site plan, drawn to scale, of the entire parcel showing all existing structures and the location of the proposed container storage giving the distances to all property lines and existing structures.

- e. A listing of the number, type and size of the containers being requested for storage.
 - f. A statement as to the amount of time the containers will be utilized and the expected date as to when the containers will be removed from the site.
 - g. An application fee of \$100.00 per container, per 30 day period or portion thereof, shall be submitted at the time of application.
- (2) Permit applications for six (6) or fewer storage containers will be reviewed by the Town of Vestal Building and Code Department. Permit applications for greater than six (6) storage containers will be reviewed by the Town of Vestal Town Board.
 - (3) A maximum of ten (10) storage containers shall be permitted at any one time.
 - (4) Storage containers may be placed for not more than six (6) months in any twelve (12) month period.
 - (5) A portable fire extinguisher is required to be mounted in each storage container on site. The minimum size extinguisher shall be a 2 ½ lb., hand held extinguisher, compatible with the materials or products being stored.
 - (6) Storage containers shall not be placed so as to pose a fire hazard to a permanent structure, restrict exit discharge or access to the public way, or restrict fire department access to the perimeter of the structure where storage containers are located.
 - (7) Storage containers shall meet the setback requirements for accessory structures, for the zoning district in which they are being placed.
 - (8) Storage containers shall not be stacked above the height of a single container.
 - (9) Storage containers shall not be used for the placement of signage or advertising purposes.
 - (10) Storage containers shall not occupy required off-street parking spaces, loading spaces, or landscape areas.
 - (11) Storage containers shall not be placed in the floodway or “100 year floodplain”.

C) Existing Storage Containers

(1) Existing unpermitted storage containers, located in any zoning district, shall have 180 days from adoption of this local law to remove the storage container from the parcel, or obtain a valid permit per the above regulations.

Section 3. Effective Date

This Law shall become effective upon filing in the office of the Secretary of State of the State of New York.

Date of Publication: March 7, 2018

Date of Posting: March 7, 2018

Date of Public Hearing: March 14, 2018

Date of Adoption of Local Law: March 14, 2018

Date Local Law Effective: