City of Meadowlakes

ORDINANCE 2024-07
October 15, 2024

AN ORDINANCE OF THE CITY OF MEADOWLAKES, TEXAS, AMENDING CHAPTER 6 - BUILDING REGULATIONS OF THE CITY OF MEADOWLAKES CODE OF ORDINANCES AS AMENDED, BY ESTABLISHING SECTION 6.38.1 PORTABLE STORAGE AND SHIPPING CONTAINERS OF THE CITY OF MEADOWLAKES CODE OF ORDINANCES; BY ESTABLISHING AN APPLICABILITY SECTION, DEFINITION SECTION, CONDITION AND MAINTENANCE SECTION, PLACEMENT AND DURATION OF USE, DIMENSIONAL LIMITATIONS SECTION, AND OTHER USES SECTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Meadowlakes, Texas, adopted a new Code of Ordinances on June 11, 2013, and

WHEREAS, the City Council wishes to revise a portion of said Code of Ordinances and

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council has the general power to adopt and publish an ordinance or police regulation that is for the good of its citizens and

WHEREAS, the unregulated use of portable storage containers and shipping containers on residential property produces unsightly conditions and threatens the enjoyment, harmony, and value of surrounding properties: an

WHEREAS, portable storage and shipping containers are not designed or intended for long-term storage use, and the use for such purposes to store combustible materials poses an increased risk of fire; and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety and welfare of the public.

WHEREAS, the City Council finds this Ordinance to be reasonable and necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEADOWLAKES, TEXAS;

SECTION I. That Section 6.38.1 – PORTABLE STORAGE AND SHIPPING CONTAINERS of Section 6- Building Regulations of the City of Meadowlakes, Texas Code of Ordinances, as amended, is hereby established to provide the following:

6.38.1 PORTABLE STORAGE AND SHIPPING CONTAINERS

(a) **Applicability** – The provisions of this chapter shall apply to the use of portable storage or shipping containers (container) on any residential property within the City of Meadowlakes.

(b) **Definitions** – The following words, terms, and phrases, when used in this chapter, shall have the meanings described in this chapter; where the terms are not defined in this chapter and are defined in other adopted ordinances, such terms shall have the meaning as described to them as in those ordinances. Where the terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings as the context implies.

1. "Portable storage container" is a container, usually of metal or metal-framed construction, designed and used for storing personal or business property of a non-hazardous nature that can be moved from location to location. Containers are typically rented or leased to owners or occupants of the property for their temporary use and are typically delivered or removed by truck. Sample proprietary portable storage container companies include PODS, PACK-RATE, UPACK, AND SMARTBOX.

2. "Shipping container" is an industrial container with a design strength suitable for continuous shipping, storage, and handling for the repetition of goods and products from one place to the next by ship, rail, or truck.

(c) **CONDITION AND MAINTENANCE**

The container shall be delivered and maintained in good condition, free from rodents, insects, rust, graffiti, and obscene words or pictures. It shall be the responsibility of the property owner or occupant and the supplying company to maintain each container in accordance with the provisions of this chapter.

(d) **PLACEMENT AND DURATION OF USE**

The container shall be placed on an improved surface for a period **not exceeding seven days**, provided it is not located within or blocking any public right-of-way, easement, sidewalk, or street or impairing traffic visibility. A container may not be placed on the same property more than three (3) non-consecutive times in a one-year period.

(e) **DIMENSIONAL LIMITATIONS**

The maximum allowable area of a container by volume may not exceed 1,280 square feet, with a width, height, and length not exceeding 8 feet by 8 feet by 20 feet, respectively.

(f) **OTHER USES**

No person shall place, use, or permit a container as an accessory building, storage building, or living unit on residential property within the City of Meadowlakes.

SECTION II. PENALTY CLAUSE

Whenever in this article an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this article the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is otherwise provided in this article, the violation shall be punished by a fine not exceeding $200.00; provided, however, no penalty shall be greater or less than the penalty provided for the same or a similar offense of the laws of the state.

Each day a violation of this article continues shall constitute a separate offense.

SECTION III. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of ordinances and the Code of Ordinances of the City of Meadowlakes, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION IV. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council of the City of Meadowlakes, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable. If any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by a valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraph, and sections of this Ordinance. Since the City Council would have enacted the same without incorporation in this Ordinance or any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION V. PUBLICATION

The City Secretary of the City of Meadowlakes is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this ordinance for two days in the official newspaper of the City of Meadowlakes, as authorized by Section 520.13 of Local Government Code.

SECTION VI. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

SECTION VII. OPEN MEETINGS

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required. Public notice of the meeting's time, place, and purpose was given as required by the Texas Open Meetings Act.

PASSED AND APPROVED this the 15th day of October, 2024.

Mark Bentley

Mark Bentley, Mayor

ATTEST:

Evan Bauer

Evan Bauer, City Secretary