

CITY OF PROPHETSTOWN

ORDINANCE NO. 864

**ORDINANCE AMENDING THE CODE
OF THE CITY OF PROPHETSTOWN
FOR THE REGULATION OF TEMPORARY CARGO STORAGE CONTAINERS**

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF PROPHETSTOWN

THIS 14th DAY OF January, 2020

Published in pamphlet form by authority of the City Council of the City of Prophetstown, this
14th day of January, 2020.

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**ORDINANCE AMENDING THE CODE
OF THE CITY OF PROPHETSTOWN
FOR THE REGULATION OF TEMPORARY CARGO STORAGE CONTAINERS**

WHEREAS, the City Council has previously received a request for issuance of a permit allowing the placement and use of storage containers also known as cargo containers, in lots zoned as business or commercial; and

WHEREAS, the Mayor and City Council of the City of Prophetstown have discussed the needs of the City, the requests that have been made, the impact on any property values or aesthetics and environmental conditions within the City; and

WHEREAS, the Mayor and City Council of the City of Prophetstown desire to amend the City Code to provide for the temporary placement and use of cargo storage containers in business or commercial districts; and

WHEREAS, the Corporate Authorities deem it in the best interests of the City to amend the City Code to provide for the regulation of temporary storage containers within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PROPHETSTOWN AS FOLLOWS:

SECTION 1: The preambles to this Ordinance are true and correct and are hereby incorporated into this section as if more fully set forth herein.

SECTION 2: That Article IV, Section 38 be amended to include a new section 38-475, entitled "Storage Cargo Containers," which shall read as follows:

Section 38-475. – Storage Cargo Containers

(a) "A property owner desiring to utilize a cargo container, for temporary storage, shall apply to the City for a permit, for location and placement of the same. The application shall include the identity of the parcel on which the container would be placed, the location on the parcel it is to be placed, and an affirmation that the unit will be removed upon expiration of the permit.

(b) The placement of a storage cargo container as an accessory storage use is limited to the following zoning districts:

1. General Business District
2. B-3 Interchange Service Districts
3. Light Industrial Districts
4. General Industrial Districts

(c) A storage cargo container shall not exceed eight (8) feet in height eight (8) feet in width, and forty (40) feet in length. The unit must be placed with effective anchoring and/or temporary foundation according to the then most current edition of the International Building Code. Units shall meet the setback requirements, or receive permission from the City, for location to be placed. Containers shall be at least three (3) feet inside property lines. Containers shall not be stacked above the height of a single container and may not be used for any advertising purpose and be kept clean from all debris and conditions contributing to the detriment of public health, *i.e.* water accumulation.

(d) Materials within storage cargo containers are subject to review and approval by the Rural Fire Protection District, for compliance with Fire Code, and must not contain or be classified as hazardous, toxic, or flammable material. Upon reasonable notice to the owner, the City of Prophetstown may audit the contents of any storage cargo container authorized under this section.

(e) The length of time the storage cargo container may be placed on property shall not exceed a period of two (2) years, with an annual permit renewal of one year. The annual fee shall be as provided in the fee schedule adopted by the corporate authorities.

(f) A storage cargo container shall not be used for the purposes of conducting business or the selling of merchandise.

(g) A storage cargo container shall not be placed on any unimproved yard publicly owned right-of-way, publicly owned parkways, public sidewalks, or other locations not specifically identified as acceptable within the provisions of this section.

(h) A storage cargo container shall only be placed on a property with an associated principal structure.

(i) No more than one (1) storage cargo container shall be permitted on any property at any one time.

(j) Applications hereunder shall be accompanied by proof of insurance coverage of the proposed storage cargo container and the contents therein.

(k) Penalty. Any person who violates disobeys, refuses to comply with or who resists the enforcement of any of the provisions of the regulation set forth in this section shall be fined in accordance with the schedule set forth in section 1-15 of this code.

SECTION 3: That in all other respects, Chapter 38 of the Prophetstown City Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 4: The foregoing amendments shall take effect beginning on and after January 1st, 2020.

SECTION 5: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 6: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the Mayor and the City Council of the City of Prophetstown on the 14th day of January, 2020.

Danny Butler Mayor Reo
Frederick

ATTEST:

Constance Jensen
City Clerk

AYE

Daryl Drennen
Josh Hovey
Ryan Inskeep
John Gibson

NAY

Greg Schmitt