



STATE OF ARKANSAS
City of Brookland
ORDINANCE NO. 2018-02

**AN ORDINANCE AMENDING ORDINANCE NO. 2009-9 TO ADD
REGULATION OF PORTABLE STORAGE UNITS.**

WHEREAS, the City Council has deemed it to be in the best interest of the City of Brookland, Arkansas to amend certain portions of Ordinance No. 2009-9, as they relate to the placement of portable storage units in all zoning districts; and

WHEREAS, the City of Brookland, Arkansas has determined that portable storage units are becoming an increasingly utilized storage mechanism by residents and business owners and the same is in need of regulation; and

WHEREAS, the City of Brookland, Arkansas has determined that permitting portable storage units in conformity with this Ordinance will not interfere with the health, safety and welfare of City residents and will insure the protection against unsightly and unsanitary articles upon property.

Be it ordained by the City Council of the City of Brookland, Arkansas:

SECTION 1: That Section 1 of Ordinance 2009-9 shall be amended to add the following:

Section 1(a) - Portable Storage Unit shall mean any container, storage unit, shed-like container or other portable structure that can be or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building. Specifically excluded from this definition are accessory buildings or sheds complying with all building codes and land use requirements. For purposes of this Section, cargo containers, railroad cars, truck vans, converted mobile 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 storage buildings and are strictly prohibited.

Section 1(b) - PORTABLE STORAGE UNITS

Portable storage units shall be permitted in any zoning district subject to compliance with the following:

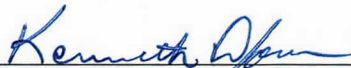
- (1) Notwithstanding the provisions set forth herein, the temporary placement of transport containers and/or portable site storage containers on residentially zoned properties, or on properties the primary use of which are residential, for the limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year. ^{45 KO}
- (2) Notwithstanding the provisions set forth herein, licensed and bonded contractors may use cargo containers for the temporary location of an office, equipment, and/or materials storage structure during construction which is taking place on the property where the cargo container is located, if the use of the cargo container is authorized pursuant to a city building permit.
- (3) Portable storage units shall not be placed on City owned property or public right-of-way.
- (4) Portable storage units shall only be placed upon driveways or other hard surfaces, as approved by the Code Enforcement Officer, Brookland Police Department, or Mayor, in all zoning districts.
- (5) Only one (1) portable storage unit shall be allowed per lot at a time. Portable storage units on commercial or industrial zoned land shall not exceed fifty-three (53) feet in length. Portable storage units on residential zoned land shall not exceed 10 foot wide by 10 foot high by 20 foot length. All portable storage units shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines.
- (6) A temporary use permit shall be required in compliance with City Ordinances prior to placement of a portable storage unit. The application shall specify the number of days the portable storage unit shall remain on the lot for a minimum of (1) day and a maximum of forty-five (45) days in any one calendar year.
- (7) A temporary use permit shall specify the number of days for which the permit shall be valid for the portable storage unit, with a minimum of (1) day and a maximum of forty-five (45) days in any one calendar year.
- (8) Any person or entity violating Section 1(a) herein shall be treated and handled as is in Section 2, 3 and 4 of Ordinance No. 2009-9.


SECTION 2: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

EMERGENCY CLAUSE: It is hereby determined the health, welfare and safety of the populace of Brookland are of utmost importance and an emergency is hereby declared to exist, and this ordinance shall be effective from the date of its passage.

APPROVED AND ADOPTED this 12th day of February, 2018.

ATTEST:


Kenneth D. Jones, Mayor


Billy W. Dacus, City Clerk

