

**ORDINANCE NO. 19-011**

**AN ORDINANCE AMENDING CHAPTER 97, ENTITLED “ACCUMULATION AND STORAGE OF JUNK AND DEBRIS; NUISANCES”, OF THE CITY ORDINANCES OF THE CITY OF MONMOUTH, ILLINOIS**

BE IT ORDAINED by the City Council of the City of Monmouth, Warren County, Illinois, as follows:

Section 1:

Chapter 97 of the Monmouth Code of Ordinances, entitled “ACCUMULATION AND STORAGE OF JUNK AND DEBRIS; NUISANCES”, is hereby amended to include the following Section, as follows:

**CARGO CONTAINERS AND PORTABLE ON DEMAND STORAGE STRUCTURES**

**§ 97.30 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**PORTABLE ON-DEMAND STORAGE STRUCTURES.** Any container, storage unit, shed-like container or other portable structure that is intended for the purpose of filing or emptying personal property of any kind while located outside an enclosed building, other than an accessory building or shed complying with all building codes and land use requirements, and then later removed from the premises.

**CARGO CONTAINERS.** A large, reusable vessel that is or appears to be:

- (1) Designed for or used in packing, shipping, intermodal transportation of freight or other goods; and
- (2) Designed for or capable of being mounted on a rail car, truck trailer or loaded on a ship.

**§ 97.31 PERMITTED USES; AND PROHIBITIONS**

(A) *Portable on-demand storage structures.* It shall be unlawful to keep or maintain any portable on-demand storage structures on a premises not in compliance with this Section 97.31.

- (1) *Size.* A portable on-demand storage structure shall not exceed 200 square feet in area nor shall it be higher than eight feet, six inches in height.
- (2) *Setback.* A portable on-demand storage structure shall be set back from any front, side or rear yard a minimum of five feet, unless placed on an existing impervious driveway, and be set back from any structures on the property a minimum of five feet.

(3) *Duration.* A portable on-demand storage structure shall not be located on a premises for a period exceeding 240 hours from time of delivery to time of removal.

(4) *Frequency.* No more than two portable on-demand storage structures shall be located on a specific premises at one time and shall not be located on a specific property more than two times in any given 30-day period.

(5) *Maintenance.* All portable on-demand storage structures shall be free from rust, peeling paint and other forms of deterioration.

(6) *Special circumstances.* In the event of fire, hurricane or natural disaster causing substantial damage to the structure, the property owner may request permission to extend the time that a portable on-demand storage structure may be located as a temporary structure on the property.

(B) Cargo Container's regulations.

(1) *General provisions.* Cargo containers, as defined in § 97.30, shall be restricted as follows:

(a) *Properties in residential districts.* Except for Section (A) above, the placement of cargo containers on residentially zoned property shall be prohibited;

(b) *Properties in Manufacturing and Commercial Districts.* The placement of cargo containers in Manufacturing and Commercial Districts shall be restricted to designated off-street loading areas and they may not occupy a required loading berth. Where cargo containers are to be placed, pavement marking or a change in pavement shall be provided to clearly indicate the extent of the off-street loading area. Said area must be made of concrete or asphalt, no cargo container may be placed on gravel, dirt or grass area. In no instance shall cargo containers be placed in front of the front wall of a principal building; and

(2) *Sites under construction.* For properties in which there is an active building permit issued by the city for a multiple-family or nonresidential development, cargo containers may be placed on a property, provided that they are set back at least ten feet from all property lines. Cargo containers used for construction purposes must be immediately removed upon completion of the construction project.

(3) *Cargo container amortization schedule.* Any cargo containers lawfully existing on June 1, 2019 which do not conform to the provisions of this Section, shall be removed or made to conform within six months of the date of notification by the city that the cargo container no longer conforms with this Section, however, any cargo container that exists as of June 1, 2019 that was properly permitted by the City of Monmouth shall be able to continue in its current location regardless of whether it conforms to the provisions of this Section, but once said cargo container becomes unusable it shall not be able to be replaced unless its replacement conforms to the provisions of this Section.

## Section 2:

In all other respects, Chapter 97 of the Monmouth Code of Ordinances previously enacted shall remain in full force and effect.

Section 3:

This ordinance shall be in full force and effect ten (10) days after this due publication in pamphlet form, passage and approval thereof.

PASSED this \_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

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MAYOR

ATTESTED:

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CITY CLERK

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent or not voting: \_\_\_\_\_