

ORDINANCE NO. 2018-62

AN ORDINANCE AMENDING CHAPTER 1414, TITLED "RUBBISH AND GARBAGE AND DONATION COLLECTION BOXES" TO ENACT NEW SECTION 1414.05 TITLED "REQUIREMENTS FOR PORTABLE STORAGE CONTAINERS" AND TO AMEND THE TITLE OF THE CHAPTER, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent has been experiencing an increase in property owners utilizing portable storage containers for the storage of personal property and materials; and

WHEREAS, currently, the City does not have any legislation governing the use and placement of these temporary containers; and

WHEREAS, the City of Kent wishes to enact a new section 1414.05 titled "Requirements for Portable Storage Containers"; and

WHEREAS, the City of Kent wishes to amend the title of Chapter 1414 to "Rubbish, Garbage, Donation Collection Boxes and Portable Storage Containers".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the proposed Section 1414.05 titled "Requirements for Portable Storage Containers", a copy of which is attached hereto as Exhibit "A", and made a part hereof, and to amend the title to Chapter 1414 to "Rubbish, Garbage, Donation Collection Boxes and Portable Storage Containers" is hereby enacted as a part of the City of Kent, Ohio Property Maintenance Code.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: May 16, 2018
Date

Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: May 16, 2018
Date

ATTEST: Tara Grimm
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

TARA GRIMM, CMC
CLERK OF COUNCIL

EXHIBIT "A"

Proposed Requirements for Portable Storage Containers

1. Portable storage container is defined as any container, shed-like structure, or other receptacle that is capable of being moved and is, or can be, used for the temporary storage of personal property or building materials of a non-hazardous nature, and which is located outside.
2. A "no fee" permit will need to be issued by the Community Development Department prior to the placement of any portable storage container on a residential or commercial property. The permit will need to be displayed on the front of the container and visible from the street.
3. Any portable storage container must not be located on a property for more than thirty (30) consecutive days within a twelve month period. The Community Development Department may allow the placement of a portable storage container on a property for more than thirty (30) days, provided the property owner can demonstrate that extenuating circumstances exist to justify the extension. At no time will any approved extension exceed thirty (30) days and no more than one (1) extension shall be granted within a twelve month period.
4. The size of any portable storage container shall not exceed sixteen feet (16') in length, by eight feet (8') in width, by eight feet (8') in height.
5. Any portable storage container shall be placed on a hard surfaces area and not be located in the front yard setback area or encroach onto adjoining properties or block or obstruct traffic vision, public sidewalk, or street.
6. No more than one (1) portable storage container shall be placed on any residential or commercial property.
7. Portable storage containers shall be delivered and maintained in good condition, free from peeling paint, rust, dents, graffiti, and any other visible forms of deterioration.

EXCEPTIONS:

1. If temporary storage container is being used in conjunction with a construction project that has a valid permit issued by the City of Kent Building Department.
2. When an area of the City has been officially declared a disaster area.