

ORDINANCE NO. 1038

AN ORDINANCE AMENDING CHAPTER 17.98 IN TITLE 17 OF THE CITY OF BELLEVILLE MUNICIPAL CODE AND REPLACING ORDINANCE NO. 1021, TO PROVIDE REGULATIONS ON THE USE OF SHIPPING CONTAINERS WITHIN THE CITY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELLEVILLE, KANSAS:

Section 1. Chapter 17.98 in title 17 of the Belleville Municipal Code is hereby amended as follows: The regulation of Storage Units/Shipping containers shall be controlled and shall conform to the regulations prescribed in this section.

a. Storage/shipping container means a unit originally or specifically designed or used to store goods or merchandise during shipping or hauling by container ships, rail, or other types of transportation. Shipping containers do not include railroad cars, trailers, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials.

b. Temporary Use: Storage/shipping containers shall be allowed as a temporary use within the City. Temporary uses shall be allowed in the following instances:

1. At a natural disaster recovery or clean-up project;
2. At a construction site for the duration of the project, with the containers to be removed within 60 days of the completion of the project;
3. For short-term storage of goods of business enterprises located within a district zoned for business, commercial, light industrial or heavy industrial (for example: holiday season for storage), or at the Belleville Municipal Airport;
4. All temporary containers must meet the established setbacks for the district.
5. No vertical stacking and/or stacking of material on top of the storage container is allowed;

c. Permanent Use: storage/shipping containers shall be allowed as a permanent use only in the I-2 Heavy Industrial district or at the Belleville Municipal Airport, subject to the following restrictions:

1. All signage on the container shall be removed and the container shall be painted an earth tone color or a color of siding material compatible with the surrounding environment or adjacent structures. The painting or siding shall be completed within 60 days of the placement of the container;
2. The container shall be safe, structurally sound, in good repair and be placed on a stable foundation. Any container that becomes unsafe, unstable or dangerous, as determined by the City, shall be removed or repaired immediately by the property owner; All permanent use containers shall be secured and/or tied down to a stable foundation.
3. Containers shall not be stored in a manner that impedes access to public rights-of-way, public utilities, drainage easements, adjacent structures or buildings;

4. Containers shall be placed in conformance with the required setbacks. At no time, though, shall a container be allowed to be placed between the main structure and the public street;
5. Containers shall be set back a minimum of 50 feet when abutting any property that is zoned for residential.
6. Stacking of containers is prohibited.
7. Regulations for containers at the airport shall be included in the annual ground lease agreements.
8. Variations to these restrictions may considered and approved by the governing body.

Section 2: This Ordinance shall be effective from and after its passage and publication in the official City newspaper.

Passed by the Governing Body and approved by the Mayor this 27th Day of Sept, 2021.

Adam Robertson, Mayor

ATTEST:

Russell Piroutek, City Clerk