

ORDINANCE No. 534

AN ORDINANCE AMENDING TITLE 6 OF THE 2020 REVISED ORDINANCES OF THE CITY OF HILLSBORO.

Be it ordained by the City Commission of the City of Hillsboro, State of North Dakota:

Chapter 6.11 of Title 6 of the 2020 Revised Ordinances of the City of Hillsboro is hereby adopted to read as follows:

CHAPTER 6.11

STORAGE CONTAINERS

SECTIONS:

6.11 Storage Containers

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6.11 Storage Containers

The regulation of storage containers to protect the public health, safety, and welfare, and promote positive aesthetics in the City shall be controlled and shall conform to the regulations prescribed in this section.

1. Storage 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. This definition includes the terms “transport containers,” “cargo containers,” and “portable site storage containers” having a similar appearance to and similar characteristics of storage containers.
2. For purposes of this section, 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 considered storage containers and are prohibited for the use of storage within the City.
3. Storage containers may be allowed as a temporary use within the City. Temporary use storage containers must meet any established setbacks or zoning requirements for the zoning district and no vertical stacking of containers or stacking of material on top of the container is allowed. Storage containers may be allowed as temporary use only under the following conditions:
  - a. At a construction site for the duration of the project, with the containers to be removed within 30 days of the completion of the project. All construction sites must have a valid and current building permit issued by the City including approval for a storage container;
  - b. At a natural disaster recovery or clean-up project;
  - c. In a residential zone, including mobile home park districts, for a period not to exceed ten (10) days. Such units shall only be for the use of persons utilizing the units as PODS (Portable on Demand Storage) for moving or temporary storage. City approval via resolution must be obtained for any storage container to be used for a period exceeding ten (10) days. Only one storage container may be placed at any residential property at a time.
  - d. In a nonresidential zone, for a period of up to 1 year. Storage containers placed for temporary use in nonresidential zones must have a building permit and follow the conditions as listed below in section 4.

4. Storage containers shall not be placed as a permanent use in any residential zone, including mobile home park districts. Storage containers shall be allowed permanent use in nonresidential zones within the City only under the following conditions:
  - a. All containers intended for permanent use must be placed using a building permit issued by the City.
  - b. Containers shall be allowed as a secondary use only to the property and subject to the requirements of the zoning district in which it is located;
  - c. All original signage on the container shall be removed and the container shall have a neat and clean appearance. No advertising or other signage shall be allowed on the container without approval by resolution of the City.
  - d. As a condition of placement, a fence, screen, or other similar visual barrier may be required by the City to conceal the storage container from abutting properties or rights of way.
  - e. The container shall be safe, structurally sound, in good repair and be placed on a stable surface. Any container that becomes unsafe, unstable or dangerous, as determined by the City, shall be removed or repaired immediately by the property owner;
  - f. Containers shall not be stored in a manner that impedes access to public rights-of-way, public utilities, easements, adjacent structures, or buildings;
  - g. Materials stored in the container shall only include items normally associated with the business use of the property;
  - h. Containers shall be placed in conformance with any required setbacks; at no time, though, shall a container be allowed to be placed between the main structure and the public street;
  - i. Stacking of containers is prohibited.
  - j. No containers may be utilized as rental units or be leased to anyone other than the property owner or property lessee of the existing on-site business enterprise where the container is placed. However, if the container is placed at a business where the primary business enterprise is the renting out of storage units or similar storage facilities, containers may be placed as rental units;
  - k. Containers shall not be connected to utility services, with the exception of electricity, nor shall any other utility service be utilized within a container;
  - l. All storage containers are subject to inspection by the City or fire marshal of its contents to ensure adherence to ordinances and any applicable fire code.
5. The storage containers at 322 4<sup>th</sup> Ave. SE, Hillsboro, ND 58045; 4 Caledonia Ave. E, Hillsboro, ND 58045; 10 1<sup>st</sup> St. SE, Hillsboro, ND 58045; and any other container which were placed upon residential property in the City prior to the adoption of this section shall be allowed to remain. The storage containers on these described properties cannot be replaced with another container in the future, nor can another container be placed. When these properties are sold or transferred by the current owners, the storage containers located thereon shall be removed.
6. Failure of the property owner or storage container owner to abide by the regulations set forth will be punishable by a fine of \$1,000.00 per day for which the container is allowed to be located on the specific property. A separate offense shall be deemed committed on each day the violation is allowed to exist.

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Levi Reese  
President of Board of City Commissioners

ATTEST:

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Casey Eggermont, Auditor

First Reading Date: \_\_\_\_\_, 2024

Second and Final Reading: \_\_\_\_\_, 2024

Publication: As required by law.