

# ORDINANCE No. 2019-1

## AN ORDINANCE REGULATING THE PERMITTING, PLACEMENT, AND MANNER OF STORAGE CONTAINERS/STORAGE SHEDS IN THE TOWN OF PEETZ

**WHEREAS**, the Town Council hereby imposes a moratorium on the placement and siting of cargo containers in the Town of Peetz until the approval of this proposed Ordinance No. 2019-1; and

**WHEREAS**, regulations have been prepared that comprehensively address the permitted number, location, screening, conversion and administration of cargo containers; and

**WHEREAS**, the Town of Peetz believes it is in the best interests of the Town of Peetz to adopt the proposed Ordinance to regulate the placement of cargo containers; and

**WHEREAS**, the Town of Peetz believes that imposing of fines for non-compliance will be necessary in order to enforce the permitting, placement, and manner of cargo containers;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF PEETZ, COLORADO:**

Section 1: Define storage containers as the following:

*Cargo container* means a container designed and constructed to contain or carry freight, including semi-trailers without running gear, railroad car units and shipping containers. Cargo container does not include mobile homes, manufactured homes, factory-built homes, travel trailers, commercial coaches or other metal storage boxes not built to International Standards Organization container specifications. For the purposes of ordinance, a cargo container is considered an accessory structure.

*Enclosed storage* means a use where goods are kept in a completely enclosed building or buildings, including, but not limited to, factory-built storage sheds.

Section 2: Fee Schedule of the Town of Peetz is hereby amended by adding cargo container to the permit schedule at a rate of \$20 per container and factory-built shed 20 ft. x 16 ft. or smaller and \$10 per shed. Any factory-built structure larger than 20 ft. x 16 ft. shall be considered a double garage at fee rate of \$15.

Section 3: Cargo containers must be permitted with the Town of Peetz as an accessory structure on residential and commercial lots.

Section 4: Cargo containers shall also be subject to the following standards:

- (a) Owner must obtain a conditional use permit prior to construction which contains a site approved plan by the Town Permit Committee. It is the owner's responsibility to obtain verification in writing from the Peetz Telephone Co., Xcel Energy, the Town of Peetz, and other parties who may have easements that the container/shed is not set over utility lines or other easements, and includes any other conditions concerning placement or appearance as recommended by the Town Permit Committee. All fees must be paid prior to construction.
- (b) A cargo container located on a lot shall be setback a minimum of (5) feet from the property line.

- (c) No more than (1) cargo container may be placed at the back of a residential or commercial lot.
- (d) No cargo container shall be placed adjacent to or bordering Main Street.
- (e) Cargo containers shall be painted a neutral color or a color that matches the principal structure on the lot so that no lettering shows.
- (f) Cargo containers/shed must be enclosed underneath to prohibit animals, rodents, etc. from getting under the structure.
- (g) A cargo container shall not be used as a principal structure on any lot or in any capacity as a dwelling.
- (h) A cargo container shall not be used, converted, or altered for any purpose other than storage.
- (i) A cargo container shall not be used for commercial purposes including, but not limited to, rental or lease.
- (j) Cargo containers existing as of the date of this ordinance shall be permitted to continue as a non-conforming structure, with the following conditions.
  - (1) That the container(s) be painted a neutral color or a color that matches that principal structure on the lot so that no lettering shows.
  - (2) Cargo containers/shed must be enclosed underneath to prohibit animals, rodents, etc. from getting under the structure.

Section 5: Cargo containers in non-compliance of the above sections and standards shall be subject to a letter of notice. Residents will have 30 days to become compliant with any/all violations. If not compliant within 30 days, a fine of \$100 will be imposed. If fines are not paid within 7 days after the end of the compliance period, another \$100 will be added, and another \$100 each subsequent month thereafter, due and payable by the first day of the month until fine is paid in full.

Section 6: This ordinance shall be effective on January 16, 2020.

INTRODUCED by Ken Roelle and Rayce Wood, members of Council and the Permit Committee, read, approved, on first reading and ordered published at a regular meeting of the Town Council at the five ordained posting locations in the Town of Peetz, on October 14, 2019.

PASSED, ADOPTED, and APPROVED by an affirmative vote of a quorum of the members of the Town Council of the Town of Peetz at a regular meeting thereof on January 16, 2020.

\_\_\_\_\_  
Mayor Traci Davenport

ATTEST \_\_\_\_\_  
Town Clerk