

Sponsored by: City Staff
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Bill No. 05-2024
Ordinance No. 2024-05

AN ORDINANCE AMENDING ARTICLE V. OFFENSES CONCERNING PUBLIC SAFETY OF THE CODE OF ORDINANCES OF THE CITY OF OVERLAND, MISSOURI, BY THE REPEAL OF SECTION 220.590 PORTABLE STORAGE CONTAINERS AND THE ADOPTION OF A NEW SECTION 220.590 PORTABLE STORAGE CONTAINERS AND THE REPEAL OF SECTION 220.600 TEMPORARY DUMPSTERS AND THE ADOPTION OF A NEW SECTION 220.600 TEMPORARY DUMPSTERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVERLAND, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. That Title II, Chapter 220, Offenses, is hereby amended by the repeal of **Section 220.590 Portable Storage Containers**, which reads as follows, in its entirety;

Section 220.590 Portable Storage Containers.

- A. It shall be unlawful for any person to locate a Portable Storage Container (“PSC”) within a residential district without first obtaining a permit from the City.
- B. The Director of Community Development is authorized to issue a permit for the location of a Portable Storage Container (“PSC”) within a residential district provided it meets the requirements of this Section. The permit shall be issued for the specified period of time and shall contain health, safety and traffic regulations. The Director of Community Development may require such assurances or guarantees of compliance with conditions as is reasonable and appropriate under the circumstances.
- C. The location of a Portable Storage Containers (“PSC”), within a residential district, shall be subject to the following restrictions:
 - 1. As used in this section, a Portable Storage Container (“PSC”), shall mean A transportable enclosure rented for use as temporary, on-site storage. Portable storage containers are also commonly referred to using the trade name "PODS".
 - 2. Permit Required. Any owner or occupier of residential property who causes or allows a PSC to be parked, placed, or stored on a residential lot must obtain a permit from the City, on a form provided by the City, prior to the placement of the PSC.

3. Such permit shall authorize a PSC parked, placed, or stored within the City for up to thirty (30) days, provided that all setback and building line requirements are met and, provided further, that the PSC is placed on a paved surface or other surface approved by the Director of Community Development.
4. The Director of Community Development may permit the placement of a PSC on a driveway located in the front yard of a residence for a period not to exceed fifteen (15) days if the topography or dimensions of such lot do not allow for the PSC to be located within all setback and building lines.
5. The Director of Community Development may permit the placement of a PSC on a residential lot for more than thirty (30) days, subject to all building setback requirements; if the residence is under construction or reconstruction pursuant to a valid building permit or if the lot owner has demonstrated that extenuating circumstances exist to justify the extension. Extenuating circumstances shall include, but are not limited to, disaster such as tornado, fire, flood, or earthquake.
6. Signs on any PSC shall not exceed two (2) in number nor more than six (6) square feet each and shall not exceed one (1) per side. In the event that an extension of the original temporary permit's time limit for placement of a PSC is granted by the Director of Public Works, all signs must be removed or obscured.
7. All PSCs must display a "placard" not to exceed one (1) square foot in area which shall be clearly visible from the right-of-way and that includes the PSC's serial/rental number, date of its placement on the lot, date that removal is required and local telephone number of PSC provider and lot owner.
8. All PSCs must also meet the following requirements:
 - a. The PSC shall only be delivered, relocated, or removed between the hours of 7:30 A.M. and 6:00 P.M. Monday through Saturday;
 - b. The PSC shall not be used for living quarters;
 - c. The PSC shall not be used to store flammables, explosives, firearms, or noxious chemicals;

d. The PSC shall not be externally illuminated or have any utilities connected to it; and

e. The PSC shall not exceed eighty (8) feet in height, eight (8) feet in width or twelve (12) feet in length.

D. The offense of locating a Portable Storage Container ("PSC"), in violation of the above noted requirements, is an ordinance violation.

Section 2. That Title II, Chapter 220, Offenses, is hereby amended by the adoption of a new **Section 220.590 Portable Storage Containers**, to read as follows,

Section 220.590 Portable Storage Containers.

A. It shall be unlawful for any person to locate a Portable Storage Container ("PSC") within a residential district without first obtaining a permit from the City.

B. The Director of Community Development is authorized to issue a permit for the location of a portable storage container ("PSC") within a residential district provided it meets the requirements of this Section. The permit shall be issued for the specified period of time and shall contain health, safety and traffic regulations. The Director of Community Development may require such assurances or guarantees of compliance with conditions as is reasonable and appropriate under the circumstances.

C. Before a Portable Storage Container ("PSC") permit is issued, a Portable Storage Container ("PSC") Permit fee in the amount of Fifteen Dollars (\$15.00) shall be paid to the City of Overland.

D. The location of a portable storage containers ("PSC"), within a residential district, shall be subject to the following restrictions:

1. As used in this Section, a portable storage container ("PSC"), shall mean a transportable enclosure rented for use as temporary, on-site storage. Portable storage containers are also commonly referred to using the trade name "PODS."

2. Permit Required. Any owner or occupier of residential property who causes or allows a PSC to be parked, placed, or stored on a residential lot must obtain a permit from the City, on a form provided by the City, prior to the placement of the PSC.

3. Such permit shall authorize a PSC parked, placed, or stored within the

City for up to thirty (30) days, provided that all setback and building line requirements are met and, provided, further, that the PSC is placed on a paved surface or other surface approved by the Director of Community Development.

4. The Director of Community Development may permit the placement of a PSC on a driveway located in the front yard of a residence for a period not to exceed fifteen (15) days if the topography or dimensions of such lot do not allow for the PSC to be located within all setback and building lines.
5. The Director of Community Development may permit the placement of a PSC on a residential lot for more than thirty (30) days, subject to all building setback requirements; if the residence is under construction or reconstruction pursuant to a valid building permit or if the lot owner has demonstrated that extenuating circumstances exist to justify the extension. Extenuating circumstances shall include, but are not limited to, disaster such as tornado, fire, flood, or earthquake.
6. Signs on any PSC shall not exceed two (2) in number nor more than six (6) square feet each and shall not exceed one (1) per side. In the event that an extension of the original temporary permit's time limit for placement of a PSC is granted by the Director of Community Development, all signs must be removed or obscured.
7. All PSCs must display a "placard" not to exceed one (1) square foot in area which shall be clearly visible from the right-of-way and that includes the PSC's serial/rental number, date of its placement on the lot, date that removal is required and local telephone number of PSC provider and lot owner.
8. All PSCs must also meet the following requirements:
 - a. The PSC shall only be delivered, relocated, or removed between the hours of 7:30 A.M. and 6:00 P.M. Monday through Saturday;
 - b. The PSC shall not be used for living quarters;
 - c. The PSC shall not be used to store flammables, explosives, firearms, or noxious chemicals;
 - d. The PSC shall not be externally illuminated or have any utilities connected to it; and

- e. The PSC shall not exceed eight (8) feet in height, eight (8) feet in width or twelve (12) feet in length.

E. The offense of locating a portable storage container ("PSC"), in violation of the above noted requirements, is an ordinance violation.

Section 3. That Title II, Chapter 220, Offenses, is hereby amended by the repeal of **Section 220.600 Temporary Dumpsters**, which reads as follows, in its entirety;

Section 220.600 Temporary Dumpsters.

- A. It shall be unlawful for any person to locate a Temporary Dumpsters within a residential district without first obtaining a permit from the City.
- B. The Director of Community Development is authorized to issue a permit for the location of a Temporary Dumpsters within a residential district provided it meets the requirements of this Section. The permit shall be issued for the specified period of time and shall contain health, safety and traffic regulations. The Director of Community Development may require such assurances or guarantees of compliance with conditions as is reasonable and appropriate under the circumstances.
- C. The location of a Temporary Dumpsters, within a residential district, shall be subject to the following restrictions:
 - 1. As used in this Section, a "Temporary Dumpster" shall mean "a large container which is used or intended for use as temporary disposal container".
 - 2. Permit Required. Any owner or occupier of residential property who causes or allows a Temporary Dumpster to be parked, placed, or stored on a residential lot must obtain a permit from the City, on a form provided by the City, prior to the placement of the PSC.
 - 3. Such permit shall authorize a Temporary Dumpster parked, placed, or stored within the City for up to thirty (30) days, provided that all setback and building line requirements are met and, provided further, that the Temporary Dumpster is placed on a paved surface or other surface approved by the Director of Community Development.
 - 4. The Director of Community Development may permit the placement of a Temporary Dumpster on a driveway located in the front yard of a residence for a period not to exceed fifteen (15) days if the topography

or dimensions of such lot do not allow for the Temporary Dumpster to be located within all setback and building lines.

5. If the Temporary Dumpster cannot be located outside of the public right-of-way, the Director of Community Development or his/her designee will inspect and determine where it is to be placed subject to the following conditions.
6. The Temporary Dumpster shall be placed no further than six (6) inches from the curb to the inside corner of the Temporary Dumpster and must allow for the safe passage of vehicles;
7. The Temporary Dumpster shall be equipped with operating flashing lights on each of the outside corners of light-equipped barricades used to ensure vision of this obstruction to motorists at night;
8. Two-inch thick lumber shall be placed under the wheels of the Temporary Dumpster to spread the wheel loads, with the minimum width of number being the width of the wheel; and
9. The repair of any damage to pavement, curbing or sidewalks resulting from placing, using, or removing the dumpster shall be the responsibility of the applicant and shall be performed to the satisfaction of the City.
10. The Director of Community Development may permit the placement of a Temporary Dumpster within the City for more than thirty (30) days, if the residence is under construction or reconstruction pursuant to a valid building permit or the if the lot owner has demonstrated that extenuating circumstances exist to justify the extension. Extenuating circumstances shall include, but are not limited to, disaster such as tornado, fire, flood, or earthquake.
11. All Temporary Dumpsters must also meet the following requirements:
 - a. The Temporary Dumpsters shall only be delivered, relocated, or removed between the hours of 7:30 A.M. and 6:00 P.M. Monday through Saturday;
 - b. The Temporary Dumpsters shall not be used for living quarters;
 - c. The Temporary Dumpsters shall not be used to store flammables, explosives, firearms, or noxious chemicals;

- d. The Temporary Dumpsters shall not be externally illuminated or have any utilities connected to it;
 - e. Temporary Dumpsters shall not have a capacity greater than twenty (40) cubic yards;
 - f. The Temporary Dumpster shall be removed when full and the waste deposited at an appropriate facility;
 - g. No waste shall be kept, stored, or accumulated outside a Temporary Dumpsters;
 - h. Construction dumpsters shall be kept free from standing water, vermin and insects or other nuisances; and
- D. The offense of locating a Temporary Dumpster, in violation of the above noted requirements, is an ordinance violation.

Section 4. That Title II, Chapter 220, Offenses, is hereby amended by the adoption of a new **Section 220.600 Temporary Dumpsters**, to read as follows,

Section 220.600 Temporary Dumpsters.

- A. It shall be unlawful for any person to locate a temporary dumpster within a residential district without first obtaining a permit from the City.
- B. The Director of Community Development is authorized to issue a permit for the location of a temporary dumpster within a residential district provided it meets the requirements of this Section. The permit shall be issued for the specified period of time and shall contain health, safety and traffic regulations. The Director of Community Development may require such assurances or guarantees of compliance with conditions as is reasonable and appropriate under the circumstances.
- C. Before a Temporary Dumpster permit is issued, a Temporary Dumpster Permit fee in the amount of Fifteen Dollars (\$15.00) shall be paid to the City of Overland.**
- D.** The location of a temporary dumpster, within a residential district, shall be subject to the following restrictions:
 - 1. As used in this Section, a "temporary dumpster" shall mean a large container which is used or intended for use as temporary disposal container.

2. Permit Required. Any owner or occupier of residential property who causes or allows a temporary dumpster to be parked, placed, or stored on a residential lot must obtain a permit from the City, on a form provided by the City, prior to the placement of the temporary dumpster.
3. Such permit shall authorize a temporary dumpster parked, placed, or stored within the City for up to thirty (30) days, provided that all setback and building line requirements are met and, provided, further, that the temporary dumpster is placed on a paved surface or other surface approved by the Director of Community Development.
4. The Director of Community Development may permit the placement of a temporary dumpster on a driveway located in the front yard of a residence for a period not to exceed fifteen (15) days if the topography or dimensions of such lot does not allow for the temporary dumpster to be located within all setback and building lines.
5. If the temporary dumpster cannot be located outside of the public right-of-way, the Director of Community Development or his/her designee will inspect and determine where it is to be placed subject to the following conditions.
6. The temporary dumpster shall be placed no further than six (6) inches from the curb to the inside corner of the temporary dumpster and must allow for the safe passage of vehicles;
7. The temporary dumpster shall be equipped with operating flashing lights on each of the outside corners of light-equipped barricades used to ensure vision of this obstruction to motorists at night;
8. Two-inch thick lumber shall be placed under the wheels of the temporary dumpster to spread the wheel loads, with the minimum width of number being the width of the wheel; and
9. The repair of any damage to pavement, curbing or sidewalks resulting from placing, using, or removing the dumpster shall be the responsibility of the applicant and shall be performed to the satisfaction of the City.
10. The Director of Community Development may permit the placement of a temporary dumpster within the City for more than thirty (30) days, if the residence is under construction or reconstruction pursuant to a valid building permit or if the lot owner has demonstrated that

extenuating circumstances exist to justify the extension. Extenuating circumstances shall include, but are not limited to, disaster such as tornado, fire, flood, or earthquake.

11. All temporary dumpsters must also meet the following requirements:

- a. The temporary dumpsters shall only be delivered, relocated, or removed between the hours of 7:30 A.M. and 6:00 P.M. Monday through Saturday;
- b. The temporary dumpsters shall not be used for living quarters;
- c. The temporary dumpsters shall not be used to store flammables, explosives, firearms, or noxious chemicals;
- d. The temporary dumpsters shall not be externally illuminated or have any utilities connected to it;
- e. Temporary dumpsters shall not have a capacity greater than forty (40) cubic yards **or generally twenty-two (22) feet in length, eight (8) feet in width and eight (8) feet in height**
- f. The temporary dumpster shall be removed when full and the waste deposited at an appropriate facility;
- g. No waste shall be kept, stored, or accumulated outside a temporary dumpster; and
- h. Construction dumpsters shall be kept free from standing water, vermin and insects or other nuisances.

E. The offense of locating a temporary dumpster, in violation of the above noted requirements, is an ordinance violation.

Section 5. That said Chapter 220 in all of its other provisions and as herein amended shall remain in full force and effect.

Section 6. This ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED this 8th day of April 2024.

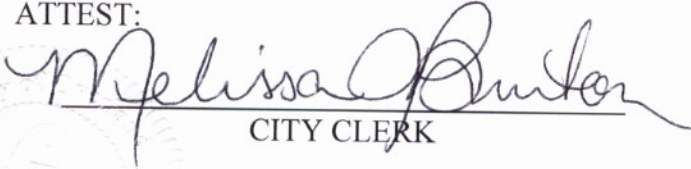


MAYOR

April 8, 2024

Date of Approval

ATTEST:



CITY CLERK

