

ORDINANCE NO. O-5-20

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A. ZONING. SECTION XII. GENERAL PROVISIONS. BY CREATING AN ENTIRELY NEW PF. 12.12. ENTITLED "PORTABLE STORAGE UNITS"; PROVIDING REGULATIONS FOR PLACEMENT AND USE THROUGHOUT THE TOWN; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town of Palm Beach Shores does not currently regulate portable storage units; and

WHEREAS, misuse of such portable storage units is incompatible with the character of the Town; and

WHEREAS, the Town Commission desires to create regulations for the term and placement of portable storage units; and

WHEREAS, the Town Commission finds that these regulations are in the best interests of the citizens of the Town of Palm Beach Shores, and will serve to promote the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1. Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section XII. General Provisions. by creating an entirely new Pf. 12.12 entitled "Portable Storage Units"; providing regulations for placement and use of portable storage units throughout the Town; providing that Pf. 12.12. shall hereafter read as follows:

SECTION XII. - GENERAL PROVISIONS

Pf. 12.1.—12.11. [shall remain in full force and effect as previously adopted.]

Pf. 12.12. - Portable Storage Units.

- (a) Definition. For the purposes of this Zoning Code, the term “portable storage unit” shall mean any portable, above-ground containers, including, but not limited to, any storage component of a portable storage or moving system or other containers used for temporary storage of personal property, household goods, or other materials whether or not the component is on wheels or requires transportation via motor vehicle. Portable storage units are intended only to be used for short-term storage.
- (b) Permit required. A no-fee permit must be secured prior to the placement of any portable storage unit within the Town. A complete permit application shall be submitted to the Town Administrator or designee. Such permit shall be issued by the Town Administrator only after an applicant has demonstrated conformance with the requirements of this section.
- (c) Single-family dwellings. Portable storage units may be allowed in single-family dwellings only as follows:
1. Term. Portable storage units shall be allowed in single-family dwellings for a period of time not to exceed thirty (30) consecutive days. The Town Administrator or designee may, via written approval, grant one (1) extension not to exceed thirty (30) additional consecutive days for good cause.
 2. Placement. Placement shall be on either the driveway or approved parking area surface and shall be accomplished in such a manner that no grass or landscaping is damaged as a result. Portable storage units shall not be placed within any right-of-way or over any easement. Portable storage units shall not extend beyond the front property line.
- (d) Multiple-family dwellings and nonresidential uses. Portable storage units may be allowed in multiple-family dwellings and all other nonresidential uses only as follows:
1. Term. Portable storage units shall be allowed in multiple-family dwellings and other nonresidential uses only in conjunction with and

during the duration of a valid building permit issued by the Town and must be removed prior to the issuance of a certificate of occupancy.

2. *Placement.* Placement shall be in the rear or side portion of the property, or other area approved by the building official. Portable storage units shall not be placed in a manner that causes damage to grass or landscaping. Portable storage units shall not be placed within any right-of-way, easement, or in any location that may create a pedestrian or vehicular traffic hazard. Portable storage units shall not extend beyond the front property line.

(e) *Cumulative time limitation.* Only one (1) portable storage unit per property is permitted in any twelve (12)-month period unless there is a change of ownership of the residential premises during such twelve (12)-month period.

(f) *Removal of portable storage units during certain storm events.* In the event the National Weather Service, National Hurricane Center, Palm Beach County Emergency Operations or other appropriate agency declares a tropical storm or hurricane watch or warning in an area that includes the Town, all portable storage units located within the Town shall be immediately removed from the property so as not to create a safety hazard because of hurricane or tropical storm force winds. The removal and replacement of any portable storage unit pursuant to this subsection shall not count toward any time limitation set forth in this section.

Section 2. Each and every other article, section, and subsection of Appendix A. Zoning Ordinance. of the Code of Ordinances of the Town of Palm Beach Shores shall remain in full force and effect as previously enacted.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 4. If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

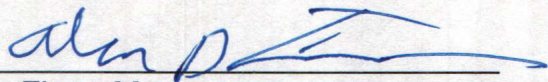
Section 5. Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Palm Beach Shores, Florida.

Section 6. This ordinance will take effect immediately upon adoption.

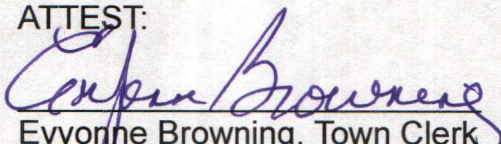
FIRST READING this 29th day of September 2020.

SECOND AND FINAL READING this 23 day of November 2020.

TOWN OF PALM BEACH SHORES

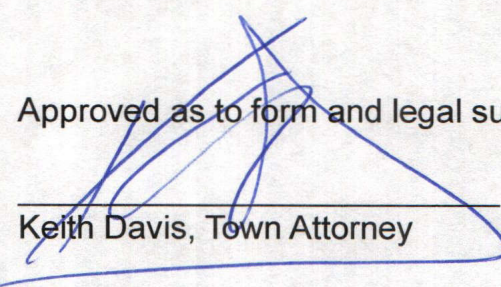

Alan Fiers, Mayor

ATTEST:


Evyonne Browning, Town Clerk

(Seal)

Approved as to form and legal sufficiency.


Keith Davis, Town Attorney

