

AN ORDINANCE ADOPTING §1272.08, PORTABLE STRUCTURES,
OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK,
FRANKLIN COUNTY, STATE OF OHIO

WHEREAS, it is necessary from time to time to adopt new ordinances and amend existing ordinances; and

WHEREAS, portable non-residential structures and portable storage units are more prevalent in residential neighborhoods, including the Village of Minerva Park;

NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. Section 1272.08, Portable Structures, is hereby adopted to read as follows:

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1272.08 PORTABLE STRUCTURES

(a) Construction Dumpsters

1. Definition. Portable construction dumpster is defined as any dumpster brought into the Village of Minerva Park for the purpose of loading litter, rubbish trash, construction materials, yard waste or other similar materials and then removing such debris from the site.
2. Use. The use of construction dumpsters or other similar units within the village shall be permitted in any zoning district only for the purpose of loading litter, rubbish, trash, construction materials, yard waste, or other similar materials with the intent of removing such debris from the location.
3. Location and Length of Stay. Construction dumpsters or other similar units shall be parked on property for a period not to exceed 60 days, shall not be parked on public right-of-way, shall be located on an asphalt or concrete surface.
4. Permit. A Temporary Use Permit is required when using a construction dumpster in the Village. If a dumpster is discovered by the Code Enforcement Officer which has not been issued a permit, the officer shall issue a Temporary Use Permit that will expire in 60 days. After 60 days, the property owner must submit an application to the Planning and Zoning Commission if additional time is desired. If the application is approved, the Planning and Zoning Commission shall instruct the Clerk to issue a Permit that shall not exceed an additional 60 days for the location of a dumpster in the Village.

(b) Portable Non-Residential Structure

1. Definition. Portable non-residential structure is defined as any building or other structure designed for occupation or sale of goods, which is not placed on a permanent foundation.
2. Use. Portable non-residential structures shall not be permitted in the Village except as provided for in this Section.

(c) Portable Residential Structure

1. Definition. Portable residential structure is any mobile home, trailer or similar portable residential structure.
2. Use. No portable residential structure shall be permitted in any district in the Village except for camping and traveling trailers as specified in Section 1282.08.

(d) Portable Storage Unit

1. Definition. Portable storage unit is defined as any portable structure or unit intended to be used on a temporary basis for the loading of materials out of a location within the Village of Minerva Park and then moved or removed to another location or the unloading of materials into a location with the Village of Minerva Park in which the portable structure was brought. (Portable storage units are often referred to as PODS, Portable On Demand Storage.)
2. Use. The use of portable storage structures or other similar units within the village shall be permitted in any zoning district only for the purpose of loading or unloading in association with moving in or out of a building.
3. Location and Length of Stay. Portable storage units shall be parked on property for a period not to exceed 15 consecutive days, shall not be parked on public right-of-way, and shall be located on an asphalt or concrete surface. The Planning and Zoning Administrator shall issue a Permit for the location of the Portable Storage Unit in the Village abiding by the aforementioned conditions.
4. Permit. A Temporary Use Permit is required when using a portable storage unit in the Village. If a portable storage unit is discovered by the Code Enforcement Officer which has not been issued a permit, the officer shall issue a Temporary Use Permit which will expire in 15 days. After 15 days, the property owner must submit an application to the Planning and Zoning Commission if additional time is desired. If the application is approved, the Planning and Zoning Commission shall instruct the Clerk to issue a Permit that shall not exceed an additional 15 days for the location of a portable storage unit in the Village.

(e) Temporary Portable Sanitary Facility

1. Definition. Portable sanitary facility is defined as any sanitary facility that is portable, enclosed, and consisting of a chemically treated, tank-tight unit designed to be used as a toilet facility. (A temporary portable sanitary facility is often called a porta-potty.)
2. Use. No temporary portable sanitary facility shall be permitted on any residential property in the Village. The use of a temporary portable sanitary facility shall be permitted on non-residential property as described in this ordinance.
3. Location and Length of Stay. Portable sanitary facilities shall be located on non-residential property for a period not to exceed 90 consecutive days, shall not be located on public right-of-way, and shall be located no fewer than 75 feet from the property line. The Planning and Zoning Clerk shall issue a Permit for the location of the Portable Sanitary Facility in the Village abiding by the aforementioned conditions.
4. Permit. A Temporary Use Permit is required when using a portable sanitary facility in the Village. If a portable sanitary facility unit is discovered, the Code Enforcement Officer will determine if the unit is on residential property and must be removed or non-residential property and is permitted. If the facility can be lawfully located in the Village and has not been issued a permit, the Code Enforcement Officer shall issue a Temporary Use Permit that will expire in 90 days. After 90 days, the property owner must submit an application to the Planning and Zoning Commission if additional time is desired. If the application is approved, the Planning and Zoning Commission shall instruct the Clerk to issue a Permit that shall not exceed an additional 90 days for the location of a portable sanitary facility in the Village.

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Section 2. The Village of Minerva Park shall create a Temporary Use Permit that the Planning and Zoning Administrator can use to approve the location and length of stay for the portable structures that are permitted in the Village in accordance with this ordinance.

Section 3. The Village Mayor and/or the Code Enforcement Officer and/or the Law Director are authorized to take further actions consistent with this Ordinance that are needed to carry out the intentions of this Ordinance for the permission and regulation of portable structures within the Village.

Section 4. All prior ordinance(s) or resolution(s) or any part thereof, which is(are) inconsistent with this ordinance is(are) hereby repealed as to the inconsistent part(s) thereof and the remainder of said ordinance(s) or resolution(s) not inconsistent with this ordinance shall remain in full force and effect.

Section 5. This ordinance shall take effect and be in force from and after the earliest time allowed by law.

Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: April 16, 2007
Second Reading: May 7, 2007
Third Reading: June 11, 2007
Passed: June 11, 2007

Attest Suzanne Coulter, Clerk-Treasurer,
Village of Minerva Park

Reviewed by Counsel