

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 296

AN ORDINANCE to regulate the size, number, time limits and placement of portable storage containers on residential properties in the City of Lookout Mountain, Georgia, and for other purposes.

WHEREAS, the City of Lookout Mountain has experienced an increase in the number of portable storage containers (also known as “PODS” or “portable on demand storage”) on residential properties; and

WHEREAS, such storage containers may serve legitimate purposes as convenient means of temporarily storing belongings following a natural disaster or when homes are undergoing renovation but are potentially hazardous to the public safety and negatively impact the aesthetics of the property and the surrounding neighborhood; and

WHEREAS, the City Council of the City of Lookout Mountain has determined that the use of portable storage containers should be permitted but should be subject to reasonable regulation in the interest of public safety, the protection of property values, and the minimization of disorderly or unsightly properties;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

SECTION 1. Definition of “portable storage container.” As used in this ordinance, “portable storage container” means a container, unit, or other receptacle that is capable of being moved and is, or can be, used for the storage of personal property of any kind. “Portable storage containers” specifically include but are not limited to portable on demand storage units, also known as PODS.

SECTION 2. Permit required; application; fee. No person shall place, keep, or store a portable storage container on any residential property in the City of Lookout Mountain without first submitting an application and receiving a permit from the City. The permit fee for placement of a portable storage container shall be \$50.00. Permits will not be issued for periods in excess of the time limits set forth in Section 7 below.

SECTION 3. Maximum number of portable storage containers. No person shall place, keep, or store on any residential property in the City of Lookout Mountain more than one (1) portable storage container per 2,000 square feet of floor space of the residential buildings on the property. In no event shall more than two (2) portable storage containers be placed on any residential property in the City.

SECTION 4. Maximum size of portable storage containers. No person shall place, keep, or store on any residential property in the City of Lookout Mountain a portable storage container that exceeds 16 feet in length, 8 feet in width, or 8½ feet in height.

SECTION 5. Location of portable storage containers. Portable storage containers shall not be placed on any unpaved area on the property. When possible, portable storage containers shall be placed on a paved surface to the rear or side of the principal structure. Otherwise, portable storage containers shall be placed on a paved driveway or on a paved, off-street surface on the property at the furthest accessible point from the street. When placed on the driveway or paved area in the side or rear yard, portable storage containers shall be located at least ten feet from any property line, space permitting. Portable storage containers shall not be placed within ten (10) feet of any public street or on any public sidewalk or street.

SECTION 6. Maintenance of portable storage containers. No owner, tenant or occupant of any property in the City of Lookout Mountain shall maintain a portable storage container in

any condition that contributes to blight, including but not limited to conditions of rust, peeling paint, and other visible forms of deterioration.

SECTION 7. Length of time allowed.

(a) No person shall place, keep, or store a portable storage container on any residential property in the City of Lookout Mountain for more than 30 consecutive or non-consecutive days in any 12 month period.

(b) Notwithstanding subsection (a) of this Section, portable storage containers may be kept on a property during the term of a valid building permit issued by the City for work on the property, and for 24 hours before and after the term stated in the permit.

(c) Notwithstanding subsection (a) of this Section, the Mayor or City Manager may, in their discretion, authorize the placement of portable storage containers on residential properties in the City for periods in excess of 30 consecutive days but not exceeding 180 days during the repair or reconstruction of a dwelling damaged by fire or a natural disaster.

SECTION 8. Violations and penalties.

(a) Violations of this chapter are hereby declared to be a public nuisance.

(b) Any person who violates a provision of this ordinance is liable for a fine of not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00) for each day the violation continues.

(c) All remedies prescribed under this ordinance shall be cumulative and the election of one or more remedies shall not bar the city from the pursuit of any other remedy for the purpose of enforcing the provisions of this ordinance.

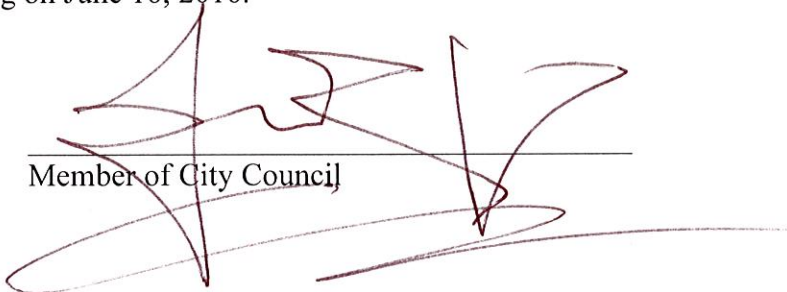
SECTION 9. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining

portions of this Ordinance shall not be affected, since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

SECTION 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 11. This Ordinance shall be effective ten (10) days after its adoption and approval by at least three (3) members of the Council of the City after two (2) readings at least one (1) week apart.

APPROVED on first reading on June 16, 2016.



Member of City Council

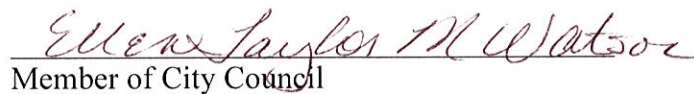
Member of City Council



Member of City Council



Member of City Council



Member of City Council



Mayor of Lookout Mountain, Georgia

APPROVED AND ADOPTED on second reading on July 21, 2016.



Member of City Council



Member of City Council



Member of City Council



Member of City Council



Member of City Council



Mayor of Lookout Mountain, Georgia

ATTEST:



City Clerk of Lookout Mountain, Georgia