

ORDINANCE #245

ORDINANCE REGULATING PLACEMENT OF CONTAINERS FOR STORAGE OR RESIDENTIAL USE

The Common Council of the City of Buffalo City do hereby ordain as follows:

SECTION 1. Chapter 245 is created to read as follows:

245.1 **Shipping And Portable Containers Used For Storage or Residential Use**

The following shall not be placed for storage or residential use in the City: shipping containers, cargo containers, portable storage containers, rail cars, trucks, vans, recreational vehicles, bus bodies, semi-trailers, truck bodies, mobile offices, or other similar conveyances either with or without wheels, but not including accessory buildings as defined in §350-3 B., waste disposal receptacles or dumpsters.

245.2 **Exception for household or commercial construction or moving purpose**

Contractors or property owners may temporarily use the above-listed conveyances in conjunction with a construction, alteration, or demolition project duly authorized by a building permit issued by the City. If used for a moving purpose, the maximum allowable time for use of any combination of the above-listed conveyances is 90 calendar days per year. Container must be placed no closer than 15 feet from side and rear property lines and 25 feet from front property line. Only one container is allowed per property for a temporary basis. Container must be placed on a hard surface of either concrete or asphalt.

245.3 **Existing Storage Containers**

All property owners with existing containers on the date this ordinance becomes effective will have 30 days from the time this ordinance takes effect to remove containers from property or a citation for non-compliance will be issued. The cost for such removal shall be paid by the property owner. If the property owner is negligent in paying for its removal, the City may remove the containers and charge the removal costs as a special charge on the property tax bill.

245.4 **Enforcement and Penalties**

A violation of this ordinance is hereby declared to be a public nuisance which may be enforced through citations, injunction or abatement proceedings or other applicable remedies as allowed by law. The penalty for violating the ordinance will be \$500/offense plus the cost of prosecution. All property owners will be ordered to remove the containers within 30 days of being notified or a citation for non-compliance will be issued. Each day during which the violation continues shall be considered a separate offense. The cost for such removal shall be paid by the property owner. If the property owner fails to remove the container, the City may remove the containers and charge the removal costs against the property.”

SECTION 2. This ordinance shall take effect and be in force upon its passage and publication as provided by law. Ordinance approved this 10th day of March, 2025.

Ben Holien, Mayor

Jennifer Ehlenfeldt, Clerk