

**ORDINANCE 225**  
**AN ORDINANCE REGULATING THE USE OF PORTABLE STORAGE/SHIPPING CONTAINERS**  
**WITHIN THE CITY OF BIRD ISLAND**

The City Council of the City of Bird Island hereby ordains as follows:

**SECTION I. Purpose:** The purpose of this Section is to provide for the public health, safety and general welfare of the community and its people through the establishment of standards to ensure that portable storage/shipping containers as defined herein are used for the short-term, temporary storage and transport of personal property; are not used as accessory buildings; and do not impede vehicular access, traffic flow or circulation, or create public safety hazards. It is the intent of this Section that portable storage/shipping containers be placed on private property.

**SECTION II. Definitions:** For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning

**Portable Storage Unit.** Shall mean a storage unit or container designed, constructed, or reconstructed to be capable of movement via towing, hauling or attachment to a vehicle from one site to another and designed to be used without a permanent foundation for storage or shipment of household goods, wares, building materials or merchandise. Portable storage units shall include semi-trailers and similar units which are being used for storage rather than transport.

**Shipping Container.** An article of transport equipment which falls into any of the following categories:

- a. Originally, specifically or formerly designated for or used in the parking, shipping, movement transportation or storage of freight, articles, goods or commodities; an/or,
- b. Designed for or capable of being (1) mounted or moved on a rail car, or (2) mounted on a chassis or bogie for movement by a truck trailer, or (3) loaded on to a ship; and/or,
- c. A prefabricated metal structure designed for use as an individual shipping container or a metal structure designed and built for the use as an enclosed truck trailer.

**Containers.** This word shall be used interchangeably within this ordinance to include but not limited to: portable storage units, shipping containers, pods, Conex, cargo/freight container, reefer, dry van.

**Permanent.** Means a period of time that exceeds six (6) months.

**Temporary.** Means a period of time that does not exceed six (6) months.

**SECTION III. Permitted Locations and Prohibitions:**

- a. Containers may not be placed, stored or used permanently on any property. Containers with alterations, such as cosmetic or structural changes done in order for the container to appear more like a typical accessory building are not allowed permanently.
- b. Containers may be placed, used for temporary storage on property in residential zoning districts or for a residential use in any other district, a maximum of one (1) container shall be allowed no more than two (2) times on any parcel for a period no longer than fourteen (14) consecutive days within any 12-month period.

**SECTION III. General Regulations:** The following regulations shall apply to all cargo containers within the City Limits:

- a. Containers shall not be stacked on one another.

- b. Containers shall not be used for human habitation or commercial purposes, and shall not be provided with refrigeration, heating, electricity or plumbing.
- c. Refuse and debris shall not be stored in, against, on or under the container.
- d. Containers may not occupy any required off-street parking spaces or loading/unloading areas or fire lanes in any district.
- e. Containers shall not block, obstruct, or reduce in any manner any required exits, windows, vent shafts, parking spaces, and/or access driveways.
- f. Containers shall comply with all applicable building and fire code regulations.
- g. Containers shall be placed on an improved surface and be located a minimum of fifteen (15) feet from the edge of the street.
- h. Containers shall be structurally sound, stable, and in good repair. Any container that becomes unsound, unstable or otherwise dangerous shall be immediately repaired or removed from the property. The City shall provide notice to the owner of the property where the container is located of any condition in violation of this section. After notice to the property owner, any cargo container stored or kept in such a manner deemed a dangerous condition and a public nuisance as determined by the City may be immediately removed by the City. Any cost or expense associated with the removal shall be the responsibility of the property owner where the container is located.
- i. No container shall be used to store any illegal or hazardous material.
- j. Other than ownership identification, no advertising sign shall be attached to a portable storage/shipping container.

**SECTION IV. Exceptions:** The following containers are exempt from this ordinance:

- a. Containers for sale or rent or awaiting service that are located on premises owned or leased by a person or business legally engaged in the sale, rental, or service of Portable Storage Units.
- b. Semi-trailers that are licensed and road-ready.
- c. Property licensed fish houses, properly licensed and road-ready recreational vehicles and trailers, and accessory structures that are in compliance with City Code.
- d. Containers which are contained within a building.

**SECTION V. Current Violations:** Time to Comply: Containers located within the listed zoning districts prior to the effective date of this ordinance are considered illegal. All property owners within the City shall have twelve (12) months from the effective date of this ordinance to bring the properties, which currently contain containers that are in violation of the terms of this Chapter, into full compliance with the provisions of this Chapter.

**SECTION VI. Violations and Penalties:** Any person or corporation who shall violate or refuse to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor as punishable by State Statute. Each day a violation is permitted to exist shall constitute a separate offense.

**SECTION VII. Effective Date:**

This Ordinance becomes effective upon its passage and publication according to law.

Adopted by the City Council of Bird Island, Minnesota this 11<sup>th</sup> day of September, 2023

  
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 Mayor Julie Sander

  
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 City Administrator Tracey Ahl