

**TOWN OF WALES**  
**INTRO NO. 1-2019**  
**LOCAL LAW NO. 1-2019**

A LOCAL LAW TO AMEND LOCAL LAW 1-1993 KNOWN AS “ADOPTION OF CODE”, ADOPTED BY THE TOWN BOARD OF THE TOWN OF WALES ON MAY 11, 1993 BY AMENDING THE ZONING CODE TO REGULATE PORTABLE TEMPORARY STORAGE UNITS.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WALES AS FOLLOWS:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends a prior Local Law known as “Adoption of Code” adopted by the Town of Wales in May 11, 1993, as amended, relating to the administrative, legislative and general legislation of the Codes within the Town of Wales as herein set forth. This legislation amends the Zoning Code to regulate portable temporary storage units.

SECTION 2. CHAPTER 200, ARTICLE IV, SECTION 200-56-4

Article IV, SECTION 56-4 is added as follows:

A: Portable Temporary Storage Units also known as PODs, SAMs, etc. is defined as a portable (temporary) transportable container, trailer, storage unit, shed-like container or other portable structure, used for the temporary storage of building materials, household items, personal property or other materials, for a limited time.

B: Intended use is for temporary storage of building materials, household goods, personal items or other materials off-site.

C: The duration of use is limited in accordance with the following:

1. Temporary storage units may be placed on or at a property in the Town, without fee, for a time period of thirty (30) calendar days. At the end of the 30-day period, the unit must be removed from the premises within a 10-day grace period. The time period begins on the date of delivery of the unit to the property site. In the event the applicant wishes to extend the time period that is granted initially, under this section, an extension may be issued by permit by the Code Enforcement Officer if requested, and upon payment to the Town of Wales of a permit extension fee as listed in the Fee Schedule, as set forth by resolution of the Town Board. Extension requests must be made prior to the expiration of the 10-day grace period. In no case shall a temporary storage unit be placed on or at a property for more than 60 consecutive days or more than 60 days in a calendar year unless special circumstances arise as listed in Subsection C.

2. The following circumstances shall grant an applicant a permit for the placement of a temporary storage unit on or at a property for a period of time which exceeds the period set in Subsection C-1 above:

(a) In the event of fire or other natural disaster which causes substantial damage to the primary structure of the property, a temporary storage unit may be placed on or at the property for a period of time while repairs are made and as determined necessary by the C.E.O. Once repairs have been made, the temporary storage unit shall be removed from the property within 10 days. In the event the applicant wishes to extend the time granted past that allowed under these circumstances, a new application for a permit pursuant to Subsection C-1 must be submitted. In this instance, applicable fee(s) may be waived by the C.E.O.

(b) The renovation, expansion or other alteration to an existing permanent structure may require the removal of personal property from the structure

and/or storage of said personal property outside of the structure. The period of time the temporary storage unit may be located on or at said property shall be determined by the C.E.O., based on the type of work being performed and/or 10 days after the building permit issued for the required work expires.

C. The duration of use is limited in accordance with the following:

Applicant must obtain a Temporary Storage Unit Permit prior to obtaining and placing a unit on or at a property in the Town, without fee, for a time period of thirty (30) calendar days. At the end of the 30-day period, the unit must be removed from the premises within a 10-day grace period. Any temporary storage unit which is not removed at the end of the initial time period permitted under this section or granted under the permit issued will be subject to a daily fine as set by the Town Board until the matter is resolved by the owner or property manager of the property in violation of the Town of Wales Code. If the temporary storage unit is not removed after 10 days from the initial notice of the violation by the C.E.O., or if the unit poses a threat to the health, safety or welfare of the residents and visitors, the Town may have it removed without notice, with the cost of such removal, as well as the cost associated with the administration of its removal, assessed against the property.

D: Temporary Storage Units shall be no greater than 320 square feet in area and 8 feet in height.

E: Only one temporary storage unit may be located on a property at any given time unless special circumstances arise, such as those listed in Subsection C-2.

F: The placement of any temporary storage unit shall be subject to the following requirements:

(1) The unit must be placed on the driveway or a hard-packed surface of the property and must adhere to the rear and side setback requirements of the respective zoning district.

(2) No temporary storage unit may be placed in a public right-of-way (ROW) or on the front yard of the property unless permitted by the C.E.O., due to unusual circumstances (ie, no driveway, no back or side yard, etc.). Different regulations may be applied under these circumstances, such as the amount of time the unit may be stored on the property, etc.

G: No signage other than the signage indicating the owner of the temporary storage unit may be allowed on the structure.

H: Storage of hazardous materials within temporary storage units is strictly prohibited. A violation of this stipulation will result in the immediate revocation of any permission or permits issued under any Subsection of this section, and the immediate removal of the temporary storage unit(s) from the property. If removal of said unit(s) must be done by the Town, any expenses incurred in such removal may be assessed to the property owner where said unit(s) is/are located.

### SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.