

ORDINANCE NO. 14-04

AN ORDINANCE ADDING TO THE CODE OF ORDINANCES OF THE CITY OF NORWALK, IOWA, CHAPTER 170, TEMPORARY STRUCTURES

BE IT ENACTED by the City of Norwalk, Iowa:

SECTION 1. SECTION ADDITION. Chapter 170, Temporary Structures:

TEMPORARY STRUCTURES

170.01 Definition

170.02 Compliance with Chapter Provisions

170.03 Permit Required

170.04 Permit Application

170.05 Permit Fees

170.06 Compliance with Codes

170.07 Removal

170.01 DEFINITION. "Temporary structure" means any structure which is not otherwise permitted pursuant to this Code including any shed, structure, building, trailer, tent or enclosure of any kind used for storage, commercial or business or residential purposes which any person or business intends to place on the same lot with or on any lot immediately adjacent to, any permanent structure used for business or commercial or residential purposes. This term includes "temporary portable storage container," which is defined as a container designed, used, rented or leased for the temporary storage of commercial, industrial, or residential household goods and that does not contain a foundation or wheels for movement. All other words or phrases shall have the same meaning assigned to them in Chapter 17 of this Code of Ordinances.

170.02 COMPLIANCE WITH CHAPTER PROVISIONS. No temporary structure or accessory structure shall be erected, constructed, or placed except as hereinafter provided.

170.03 PERMIT REQUIRED. No temporary structure or accessory structure shall be erected, constructed, or placed upon any commercial or business or residential property without first obtaining a permit from the Building Inspector. All permits are subject to approval by the Building Inspector. Further, the Zoning Administrator may impose certain reasonable requirements as may be required to keep the temporary structure from becoming unsightly to the surrounding properties.

170.04 PERMIT APPLICATION. Prior to seeking approval, an applicant shall file a permit application with the Building Inspector stating:

1. The name and address of the person or business seeking the permit;
2. A particular description of where the proposed temporary structure or accessory structure will be erected, constructed or placed;
3. The need for such structure;
4. The period of time the proposed structure will be present on the property; and

5. A particular description, including the dimensions, of the temporary structure or accessory structure to be erected, constructed, or placed upon the property.

170.05 PERMIT FEES. Upon approval by the Building Inspector and payment of a permit fee, the Building Inspector shall issue a permit to the applicant. The permit for a business or commercial class permit shall be for a period of ninety (90) days and shall authorize the erection, construction, or placement of a temporary structure on the property described in the application. The cost of the business or commercial permit is \$25.00 per month. Residential class permit fee as follows.

1. First 30 days container is on site..... \$15.00
2. Second 30 days container is on site..... \$25.00
3. Third 30 days container is on site..... \$ 40.00
4. Thereafter, cost will increase by \$20.00 per 30-day extension.

170.06 COMPLIANCE WITH CODES. Any such temporary structure erected, constructed, or placed upon property shall comply with all applicable provisions of this Code of Ordinances, including the fire, electrical, and building codes. Temporary structures must be placed on a hard-surfaced area and shall be located on the owner's lot, and no part of any temporary structure shall be located on any public property or in the right-of-way.

170.07 REMOVAL. All such temporary structure or accessory use or structure shall be removed from the property at the expiration of the time period defined in the permit.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the 1st day of May, 2014, and approved this 1st day of May, 2014.

Mayor – Tom Phillips

ATTEST:

City Clerk – Jeff Rosien

I certify that the foregoing was published as Ordinance No. ____ on the ____ day of _____, 2014.

City Clerk – Jeff Rosien

