

(Summary First Published in the Times-Sentinel
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THE CITY OF CHENEY, KANSAS

ORDINANCE NO. 917

AN ORDINANCE REGULATING THE USE OF
PORTABLE STORAGE UNITS IN COMMERCIAL
DISTRICTS BY AMENDING SECTIONS 4-1402
THROUGH 4-1403 OF THE CODE OF THE CITY OF
CHENEY, KANSAS AND ADDING SECTIONS 4-
1406.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
CHENEY, KANSAS:

Section 1. Amending Section 4-1402 of the Code

Section 4-1402 of the Code of the City of Cheney, Kansas is hereby
amended to read as follows:

“4-1402 PORTABLE STORAGE UNIT; USE

(a) A Portable Storage Unit may be temporarily placed without a permit
upon any real property zoned residential within the City of Cheney, Kansas for a
time period not to exceed thirty (30) days, no more than two (2) times per
calendar year. Upon showing of good cause, the City Administrator is hereby
authorized to extend this time period for up to an additional thirty (30) days (for a
maximum time period of sixty (60) days), or to increase the allowed frequency to
three (3) times per calendar year.

(b) In conjunction with a building permit, a Portable Storage Unit may
be temporarily placed upon the real property zoned residential subject to the
building permit for the duration of the initial building permit period plus ten (10)
days before and ten (10) days after the building permit period. However, the City
Administrator has the discretion to shorten or otherwise limit this time period
based upon evaluation of the scope of the permitted project.

(c) A Portable Storage Unit may be placed upon any real property
zoned commercial within the City of Cheney, Kansas upon the issuance of a
permit allowing for the same by the Governing Body of the City of Cheney,

Kansas. Such permit shall be subject to conditions, limitations in time and restrictions as may be imposed by the Governing Body of the City of Cheney, Kansas, in accordance with the provisions of this Article."

Section 2. Amending Section 4-1403 of the Code

Section 4-1403 of the Code of the City of Cheney, Kansas is hereby amended to read as follows:

"4-1403 PORTABLE STORAGE UNIT; CONDITIONS

The placement and utilization of a Portable Storage Unit pursuant to this Article is conditioned upon compliance with the following requirements:

(a) The Portable Storage Unit must be maintained in a safe and clean manner, and in good condition and repair.

(b) The Portable Storage Unit cannot be placed in the right-of-way, in a manner blocking any sidewalk, fire department access or the line-of-sight of traffic, or in any other manner creating any peril or danger to persons or property.

(c) The Portable Storage Unit may only be used to store non-hazardous personal property that is directly related to the use of the real property upon which the Portable Storage Unit is placed or to the occupants or owners therein, and may not be used to store the personal property of any other person or entity who is not an owner or occupant of said real property, except when utilized in conjunction with a building permit.

(d) The Portable Storage Unit placed upon any real property zoned residential within the City of Cheney, Kansas cannot contain any commercial or industrial personal property or be used for any commercial or industrial purpose, except to the extent used by a contractor in conjunction with any allowed construction or remodeling on or related to said property.

(e) Placement of a Portable Storage Unit upon any real property zoned commercial or industrial within the City of Cheney, Kansas shall require the issuance of a permit. Applications for such a permit shall be submitted to the Cheney City Clerk for consideration by the Governing Body of the City of Cheney, Kansas. The application fee for the issuance of such a permit is initially set at fifty dollars (\$50.00). This application fee can subsequently be adjusted through adoption of a resolution by the Governing Body of the City of Cheney, Kansas.

(f) Permits for the placement of a Portable Storage Unit upon any real property zoned commercial or industrial within the City of Cheney, Kansas shall be subject to conditions established by the Governing Body of the City of

Cheney, Kansas. Such conditions may include, but not be limited to, the following:

- (1) All signage on the Portable Storage Unit shall be removed and the container shall be painted an earth tone color or a color of siding material compatible with the surrounding environment or adjacent structures. The painting or siding shall be completed within 60 days of the placement of the Portable Storage Unit;
- (2) The Portable Storage Unit shall be safe, structurally sound, in good repair and be placed on a stable surface. Any Portable Storage Unit that becomes unsafe, unstable or dangerous, as determined by the City, shall be removed or repaired immediately by the property owner. All Portable Storage Unit intended to be placed for more than six (6) months shall be secured and/or tied down to a stable surface;
- (3) Portable Storage Units shall not be stored in a manner that impedes access to public rights-of-way, public utilities, drainage easements, adjacent structures or buildings;
- (4) Materials stored in Portable Storage Units shall only include items normally associated with the primary business use of the commercial or industrial property upon which the Portable Storage Unit is placed;
- (5) Portable Storage Units shall be placed in conformance with the required side yard, rear yard and front yard setbacks applicable to the property upon which they are placed. At no time, though, shall a Portable Storage Unit be placed in the front yard of a property between the main structure on the property and a public street;
- (6) Portable Storage Units shall be set back a minimum of twenty (20) feet from abutting properties that are zoned for residential or multiple family purposes;
- (7) All Portable Storage Units shall be adequately screened, in accordance with requirements established by the governing body of the City of Cheney, Kansas in a Portable Storage Unit permit issued for the property upon which they are placed;
- (8) Stacking of Portable Storage Units is prohibited. No Portable Storage Unit may be utilized as a rental unit or be leased to anyone other than the property owner or property lessee of the existing onsite business enterprise where the Portable Storage Unit is placed;
- (9) Portable Storage Units shall not be connected to utility services, with the exception of electricity, nor shall any other utility service be utilized within a Portable Storage Unit.”

Section 3. Effective Date.

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the City Council this 9th day of May, 2019.

Approved by the Mayor this 9th day of May, 2019.

MAYOR, LINDA BALL

SEAL

ATTEST:

CITY CLERK, DANIELLE YOUNG