

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**Town of** ..... VESTAL, NEW YORK .....

**Local Law No.** ..... **of the year** 2019  
PROPOSED LOCAL LAW “A” OF THE YEAR 2019

**A Local Law** “A local law to repeal and replace the indicated sections of Code of the Town of Vestal”

**Be it enacted by the** ..... TOWN BOARD ..... of the

**Town of** ..... VESTAL ..... as follows:

A proposed local law to repeal and replace the indicated sections of the Code of the Town of Vestal.

**Code of the Town of Vestal**

Sec. 24-387. - Container storage.

(a) *Residential zoning districts.*

- (1) The placement or use of storage containers, for permanent use as an accessory storage building, in residential zoning districts shall be prohibited.
- (2) The placement or use of storage containers, as temporary storage, shall be permitted under the following circumstances:
  - a. A structure is undergoing construction, repair, alteration, or reconstruction, for which a building permit has been issued. The storage container shall be removed from the premises upon issuance of a Certificate of Occupancy or a Certificate of Compliance, or such time as the Code Enforcement Officer deems the project complete.
  - b. The storage container is being used to store household belongings in connection with a disaster, i.e., fire, flood, etc. The storage container shall be removed from the premises upon issuance of a Certificate of Compliance, demolition of the structure, or such time as the Code Enforcement Officer deems the project complete.
  - c. At the discretion of the Code Enforcement Officer, for extenuating circumstances, and/or limited time periods.
  - d. Placement of storage container(s) in a residential zoning district shall be at the discretion of the Code Enforcement Officer.

(b) *Commercial and Industrial zoning districts.*

- (1) The following provisions shall apply to the use of storage containers for the purpose of storing materials, supplies, inventory or products:
  - a. Permit applications for the placement of storage containers shall contain the following information:
    - 1. Name, address and phone number of property owner(s).
    - 2. Name, address and phone number of applicant.
    - 3. A detailed list of all material and amounts of materials to be stored in the containers and the material data sheets applicable to any materials to be stored.

4. A site plan, drawn to scale, of the entire parcel showing all existing structures and the location of the proposed container storage giving the distances to all property lines and existing structures.
  5. A listing of the number, type and size of the containers being requested for storage.
  6. A statement as to the amount of time the containers will be utilized and the expected date as to when the containers will be removed from the site.
  7. An application fee of one hundred dollars (\$100.00) per container, per thirty (30) day period or portion thereof, shall be submitted at the time of application.
- (2) A maximum of ten (10) storage containers shall be permitted at any one (1) time.
  - (3) Permit applications will be reviewed by the town Building and Code Department. Permit applications for greater than ten (10) storage containers, or requests for permanent placement of a storage container(s), will be reviewed by the Town Board who shall direct the Code Officer accordingly as to its determination.
  - (4) Storage containers may be placed for not more than six (6) months in any twelve (12) month period.
  - (5) A portable fire extinguisher is required to be mounted in each storage container on site. The minimum size extinguisher shall be a two and one-half (2½) pound, hand held extinguisher, compatible with the materials or products being stored.
  - (6) Storage containers shall not be placed so as to pose a fire hazard to a permanent structure, restrict exit discharge or access to the public way, or restrict fire department access to the perimeter of the structure where storage containers are located.
  - (7) Storage containers shall meet the setback requirements for accessory structures, for the zoning district in which they are being placed.
  - (8) Storage containers shall not be stacked above the height of a single container.
  - (9) Storage containers shall not be used for the placement of signage or advertising purposes.
  - (10) Storage containers shall not occupy required off-street parking spaces, loading spaces, or landscape areas.
  - (11) Storage containers shall not be placed in the floodway or "100-year floodplain."
- (c) *Existing storage containers.*
- (1) Existing unpermitted storage containers, located in any zoning district, shall have one hundred eighty (180) days from adoption of this local law to remove the storage container from the parcel, or obtain a valid permit per the above regulations.

(L.L. No. 4 of 1996, § 3; L.L. No. [2\(A\) of 2018](#).)

### **Section 3.** Effective Date

This Law shall become effective upon filing in the office of the Secretary of State of the State of New York.

<b>Date of Publication:</b>	<b>March 13, 2019</b>
<b>Date of Posting:</b>	<b>March 13, 2019</b>
<b>Date of Public Hearing:</b>	<b>March 27, 2019</b>
<b>Date of Adoption of Local Law:</b>	
<b>Date Local Law Effective:</b>	