

ORDINANCE NO. 984

AN ORDINANCE AMENDING CHAPTER 26 OF THE OFFICIAL CODE OF THE CITY OF GLASGOW (OCCG) TO PROHIBIT THE PLACEMENT AND USE OF SHIPPING CONTAINERS WITHIN CITY LIMITS

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WHEREAS, The City of Glasgow (the “City”) is authorized by Montana law to promote the public health, safety, aesthetic appearance, and welfare of the City. Mont. Code Ann. § 7-1-4123; and

WHEREAS, the City Council has in the exercise of those powers previously established Chapter 26 of the OCCG pertaining to offenses and miscellaneous provisions; and

WHEREAS, the Council has determined that the placement of shipping containers should be regulated and the Council adopted such an ordinance in Section 26-7; and

WHEREAS, the Council believes that the existing ordinance should be amended to clearly state that that shipping containers are prohibited except as provided for in the ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLASGOW, MONTANA:

Section 1. The provisions of OCCG Chapters 26-7 hereby amended as depicted by Exhibit “A” attached hereto and by reference incorporated herein with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This ordinance shall be in full force and effect (30) days after final adoption by the City Council.

ACCEPTED by the City Council of the City of Glasgow, Montana on first reading May 6th, 2024.

ADOPTED as amended after continuation and conclusion of second reading by the City Council of the City of Glasgow, Montana on _____, _____.

Rod Karst, Mayor

ATTEST:

(CITY SEAL)

Stacey Amundson, City Clerk

APPROVED FOR LEGAL CONTENT:

Lee Pekovitch, City Attorney

State of Montana)
County of Valley : ss
City of Glasgow)

I, Stacey Amundson, City Clerk of the City of Glasgow, Montana, do certify that I did post as required by law and as prescribed and directed by the Council, Ordinance NO. 984 on the Glasgow Civic Center posting board and the Glasgow City website.

Stacey Amundson, City Clerk

(CITY SEAL)

Exhibit "A"

Sec. 26-7. Shipping containers.

(a) **Purpose. Prohibition. The placement and use of any shipping container within the city as an accessory building, storage building, or living unit is prohibited, except has provided herein.** This limitation is designed to enhance the aesthetic appearance of the community, preserve property values and to protect the public health and safety and the aesthetic quality of the city.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Aesthetic requirements means the minimum design standard required for the placement and use of shipping containers, other than the uses provided for under subsections (d) and (f) of this section. Metal shipping containers shall be painted a neutral earth-tone color or a color consistent with the principal building or dwelling unit. Placement shall be to the rear of the principal building or dwelling unit on the rear half of the lot. Shipping containers must be kept in good repair, be secured against unauthorized entry, comply with health regulations, be free from vermin or other pests, and be stored on a hard surface.

Commercial use means the carriage of property in connection with a business or corporation which provides or manufactures tangible products, such as a retail store, merchandising business, manufacturing business, or grocery company.

Shipping container means a unit originally used for the transport, shipping, or hauling of materials or goods by land, sea, or air; capable of being moved or mounted by rail, truck, or boat. The term "shipping container" includes steel sea or oceangoing containers marked with the American Bureau of Shipping's emblem or meeting the International Standard Organization's standards which can be detached from a trailer, chassis or frame, and which were formerly used for transporting sea or oceangoing cargo. The term "shipping container" includes the terms "portable moving/storage unit/container/pod" and "cargo/oceangoing/transport container." In addition, the term "shipping container" applies to any structure designed to imitate the look of a shipping container.

(c) *Temporary placement of shipping containers permitted with active building permit.* Licensed and bonded contractors may use shipping containers for the temporary housing of equipment and materials during construction as authorized by a city building permit. A temporary permit for the placement of shipping containers may be issued in conjunction with an active building permit for a construction site, excluding all residentially zoned land. Shipping containers must be removed within ten days of final building inspection.

(d) *Temporary placement of shipping containers permitted for commercial use.* Corporate or business entities may use shipping containers for commercial use provided a temporary permit has been issued by the city subject to the discretion of the city public works director. The permit will be valid for a period of one calendar year from the date of issuance.

(e) *Shipping containers used as permanent structures permitted in mobile home zone.* Nothing in this chapter shall prevent the use of shipping containers or a similar container from being utilized as a permanent structure in the mobile home zone, provided that such structure complies with all applicable international building codes, city regulations, aesthetic requirements, and city zoning standards. Shipping containers may be used in the construction of a mobile home or a modular home within the mobile home zone. Shipping containers must be removed within ten days of final building inspection.

(f) *Emergency placement of shipping containers; city-wide.* In the event of a natural hazard, accident, or other emergency or disaster that has resulted in significant damage to a property or structure within city limits, a temporary permit for the placement of shipping container may be issued by the city subject to the discretion of the city public works director. The temporary permit will be valid for a period of one calendar year from the date of issuance.

(g) *Existing violations; 90-day resolution timeframe.* All property owners within the city, who are currently in violation of the regulations set forth in this chapter may be granted an exemption from the enforcement of this section, provided the property owner submits written notification of the location of the shipping

Exhibit “A”

container to the public works department within 90 calendar days from the effective date of the ordinance from which this section is derived. An exemption shall be granted if the shipping container complies with all applicable International Building Codes, city regulations, aesthetic requirements, and city zoning standards. Shipping containers placed on or after November 10, 2019, will be considered in violation of this section.

(Code 1955, § 14-43; Ord. No. 962, §§ 1—6, 10-10-2019; Ord. No. 963, §§ 2—7, 1-21-2020)