

ORDINANCE NO. 21-01

CARGO CONTAINERS, SHIPPING CONTAINERS AND SEA CONTAINERS

THIS IS REPEALING ORDINANCE 19-06 OF THE CITY OF BRONTE PROHIBITING THE PLACEMENT OF PERMANENT CARGO, SHIPPING OR SEA CONTAINERS WITHIN THE CITY OF BRONTE; REQUIRING A PERMIT FOR THE PLACEMENT OF CONTAINERS; PROVIDING STANDARDS FOR USE OF CONTAINERS; PROVIDING FOR CONTINUATION OF NON-CONFORMING USES; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE; PROVIDING REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, cargo containers, shipping containers and sea containers are becoming more common additions to cities as homeowners and businesses acquire those containers as accessory buildings;

WHEREAS, the City Council finds that the regulations contained in this Ordinance are in the best interest of the health, safety and welfare of the citizens of the City of Bronte.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BRONTE, TEXAS that:

SECTION 1 – ENACTMENT. The following provisions are hereby enacted as the Cargo Container Ordinance of the City of Bronte, Texas.

SECTION 2 - DEFINITIONS

- A. **Building Official:** The Director of Public Works is designated as Building Official.
- B. **Building Permit:** Means an unexpired and unrevoked building permit issued by the City Council pursuant to the terms of this Ordinance.
- D. **Permit Committee:** A committee consisting of the Building Official, the Mayor, and one Council Member appointed by the City Council for the purposes of reviewing applications for Building Permits under this Ordinance.

SECTION 3 – TEMPORARY CARGO CONTAINERS; PERMIT REQUIRED

- A. A person may store, maintain, or otherwise keep a Cargo Container within the City if that person has received a Building Permit under this Ordinance.
- B. A Building Permit may be obtained by submitting a permit application, with a detailed site plan, to the City Secretary. Upon receipt of a complete application and the appropriate fee, the City Secretary shall provide the application to the Permit Committee, who shall determine if the permit application should be presented to the City Council for final approval. The City Council shall have the final authority as to whether a Special Building Permit for a Temporary Cargo Container shall be approved.
- C. Any Building Permit issued under this Ordinance may be revoked by the City Council upon twenty (20) days written notice to the owner, occupant, or person in control of the property if such person is storing, maintain, or otherwise keeping a Cargo Container in violation of this Ordinance.

SECTION 4 – CARGO CONTAINER PLACEMENT AND USE

The placement of Cargo Containers is governed by the following rules:

- A. **Placement:** Cargo Containers must be situated behind or beside the main or primary structure on a lot and are subject to the same setback requirements as the main structure. Additionally, Cargo Containers must be placed at least 15 feet from any other structure, including other Cargo Containers, and may not be stacked on other Cargo Containers or any other object. Cargo Containers shall not occupy required off-street parking, fire lanes, loading, or landscaping areas. Only one (1) Cargo Container may be placed on a 50' x 140' lot.
- B. **Use:** Cargo Containers may only be stored, maintained, and otherwise used as an accessory storage building to a primary structure, except when the Cargo Container is used for commercial or agricultural purposes. No person shall store, maintain, or otherwise keep a Cargo Container as a stand-alone permanent structure. Cargo Containers may not be used as living quarters.
- C. **Safety:** Cargo Containers shall be secured from entry by children or others when unattended. Cargo Containers shall not be placed in a location which may cause hazardous conditions, constitute a threat to public safety, or create a condition detrimental to the surrounding land use and development.

SECTION 5 – EXISTING CARGO CONTAINERS

- A. **Non-Conforming Uses:** All Cargo Containers which are permanent structures on the effective date of this Ordinance shall be allowed to continue as non-conforming uses if the Cargo Container does not pose a safety hazard, as determined by the City Council.

SECTION 6 – VIOLATIONS AND PENALTIES

Any person, firm, or corporation found guilty of violating this Ordinance shall be charged with a Class C misdemeanor and, if convicted, shall be subject to a fine of up to \$500.00 plus court costs. Each and every day the violation continues shall constitute a separate offense. In addition to and cumulative of all other penalties, the City of Bronte shall have the right to seek injunctive relief for any and all violations of this Ordinance.

SECTION 8 - REPEALER

All other ordinances and ordinance provisions in conflict with the provisions of this Ordinance shall be, and the same are, hereby repealed, and all other provisions not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 9 - SEVERABILITY

If any section, paragraph, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of the Ordinance as a whole or any part of provision thereof, other than the part so deemed to be invalid or unconstitutional.

SECTION 10 - EFFECTIVE DATE

This ordinance shall become effective upon adoption by the City Council and after publication as required by the Texas Local Government Code.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Bronte, Texas, this the 26th day of April 2021.


Paul Gohman, Mayor

ATTEST:



Teresa Ballard, City Secretary

