

ORDINANCE BILL NO. 3 FOR 1991
ORDINANCE NO. 1027

AN ORDINANCE FOR ADOPTING THE RULES, GUIDELINES AND STANDARDS FOR THE OPEN STORAGE OF PROPERTY IN C-1 AND C-2 ZONES UNDER ORDINANCE 644 SECTION 4.110(6) AND SECTION 4.120(8).

Whereas, the City of Sweet Home has placed in its Zoning Ordinance Section 4.110(6) and Section 4120(8) to regulate the open storage of property in the C-1 and C-2 Zones which provide that the City will promogate rules, guidelines and standards to carry out and enforce said subsections.

The City of Sweet Home does ordain as follows:

Section 1. The open storage of property in C-1 and C-2 Zones shall be in accordance with the following rules, guidelines, and standards:

(1) No person shall have, allow or permit open storage of property in C-1 or C-2 Zones without first obtaining an open storage permit from the City of Sweet Home.

(2) The definition of Open Storage of Property: To put aside or accumulate property, for use when needed or later sale or disposal, in an area that is exposed to the public view from a public street (not alley). For purposes of this ordinance on annual permit is not required for:

- A. Two or fewer enclosed trash/waste receptacles.
- B. Operable vehicles that are parked not exceeding 30 days on the property.
- C. Merchandise displayed for sale or rent by a business for less than 24 hour at a time.
- D. Displays of new or used automobiles, trailers, trucks, boats or other mobile equipment, that are for sale or rent, but not parts thereof.
- E. Nursery plants, shrubs or trees.
- F. Permanent in place storage fuel tanks.
- G. Operable and in use (maintained and stocked) Vending machines.

(3) A non-refundable fee to recover the cost of processing the permit shall be charged by the City in the

amount of \$ -0- per year. The fee shall not be charged for subsequent years if the permit conditions are not changed. The permit may be updated during the year at no extra charge. If the City initiates a permit review no fee will be charged.

(4) Each person wishing to obtain a permit shall apply for said permit on forms provided by the City before January 30th of each year or before any open storage is permitted.

(5) The permit shall contain at least the following information and provisions:

A. The name, address and phone number of the owner of the real property and personal property.

B. The name, address and phone number of applicant, if other than the owner.

C. The address of the real property.

D. The type of business to be conducted on the premises.

E. The area to be used for open storage.

F. The kinds of property to be stored.

G. How the property is to be stored.

H. The terms, conditions and restrictions of the permit.

The City can require further information if needed to make a decision on the permit.

(6) The following standards shall be used in issuing a permit and no permit shall be issued unless the minimum standards are met:

(A) When practicable, open storage of property is to be confined to an area on the property that is the furthest from the public street so that it has the least visual impact e.g. at the rear of a building if less exposed to the public view.

(B) When practicable, open storage shall not occur within 20 feet of a public street.

(C) Property that is dirty, greasy, broken, or dismantled is not appropriate for open storage.

(D) Parts of vehicles, equipment or other proper-

ty that is disassembled, disconnected or separated from its primary, central or main component or part is not appropriate for open storage.

(E) Merchandise displayed for sale or rent shall be displayed in a way that does not look cluttered or haphazard e.g. stacked firewood vs. piled firewood.

(F) Property that by its use, design or construction is or was to be used inside a structure (out of the elements) is not appropriate for open storage e.g. bed springs and mattress; appliances; plumbing fixtures; sofa; household furniture.

(G) Property that is waste product or scrap material of the business is not appropriate for open storage e.g. worn out tires even if they have economic value.

(7) If a permit is given to allow certain open storage for one year, that does not waive or forfeit the right of the City to initiate in the annual renewal process further improvements and upgrading of the premises to accomplish the goals of this ordinance and Section 4.110(6) and Section 4.120(8) of Ordinance 644 in succeeding years.

(8) In considering an open storage permit for C-1 or C-2 Zones the city manager shall either approve the permit, deny the permit, or refer it to the planning commission for a decision. A decision of either the city manager or planning commission may be appealed, using procedures as specified in Section 10.040 of the Zoning Ordinance 644.

Section 2. Violations of this ordinance constitute an infraction and may be prosecuted under the provisions of Ordinance Number 876, as now enacted or hereafter amended. It is the duty of the owner of the property (both personal and real) as well as the applicant and possessor of the premises to abide by the terms, conditions and restrictions of the permit.

Section 3. Abatement of violations of this ordinance can be accomplished by any remedy open to the City, including using the procedures for abatement of nuisances set out in other City ordinances, including Ordinance No. 955 and Ordinance No. 952. If abatement is performed by the City, the cost thereof shall become a lien on the property and/or an obligation of the owner of the property, as set out in the procedures followed for abatement.

Section 4. The provisions and parts of this ordinance are hereby declared severable.

PASSED by the Council and approved by the Mayor this
14th day of May, 1991.

Craig D. Fentiman
Mayor

ATTEST:

Jeri L. Chenelle
City Manager - Ex Officio
City Recorder