



**211 Walnut Street
Neenah, WI 54956**

AN ORDINANCE: By the Neenah Plan Commission
Re: Amending Neenah Municipal Code Section 26-3 and Section 26-550(2) of the Zoning Code relating to Portable Collection Containers in Non-Residential Districts.

ORDINANCE NO. 2023-04

Introduced: _____

Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, does ordain as follows:

Section 1. That Neenah Municipal Code, Section 26-3 of the Zoning Code is hereby amended by deleting the stricken language under the definition of “Portable storage container” and by adding the new highlighted language so as to now read as follows:

Portable storage container means a portable receptacle designed and used for the storage or shipment of household goods, refuse, building material or merchandise, including, but not limited to, dumpsters, construction trailers, shipping containers, semi-trailers, and portable on demand storage units (PODS) or other similar containers on wheels, or placed on the ground, and typically used for transportation or storage purposes.

Section 2. That Neenah Municipal Code, Section 26-550(2) of the Zoning Code is hereby amended by and adding the new highlighted language to new subsection (2)(k)1-8, so as to now read as follows:

Sec. 26-550. District regulations.

The following regulations shall be applied to each of the described zoning districts:

(2) M-1, M-2, C-1, C-2, I-1 and 1-2 Districts.

- a. Driveways and parking areas for all multifamily, commercial and industrial uses shall be free from dust or loose particles and surfaced with a durable material acceptable to the Department of Community Development at time of building and principal use occupancy;


- b. Parking spaces shall be in conformance with the required district setback regulations;
- c. No parking shall be allowed in the vision clearance area;
- d. A minimum six-inch curb wall or bumper guard shall be constructed so that no part of any vehicle shall extend over or beyond any property line, public rights-of-way or required front yard area;
- e. Any lights used to illuminate a parking area shall be so arranged and screened as to reflect the light away from adjacent R-1 and R-2 uses or districts, and streets;
- f. Parking spaces and driveways shall be so arranged as to require ingress or egress from the parking area to a street, by forward motion of a vehicle;
- g. Required parking spaces shall be adequately marked;
- h. No addition or enlargement of an existing building or use shall be permitted unless all parking requirements are met for the entire building or use;
- i. All required parking spaces shall be located on the lot which the use is located, or on a contiguous lot. Parking within 300 feet from the principal use or building may be permitted if approved by the Department of Community Development; and
- j. No motor vehicle repair work of any kind shall be permitted in such parking areas.
- k. **Portable Storage Containers may be placed on a property subject to the following conditions:**
 - 1. A portable storage container may be placed on a property for up to 120 days during any calendar year.
 - 2. No more than two portable storage containers may be placed on a single lot at any one time.
 - 3. Portable storage containers may only be used for the storage of finished goods (i.e. overstock items, seasonal merchandise, or equipment), or unfinished goods (i.e. raw materials). The storage of refuse material, tires, or opened containers of paint, oil, gas, or any other hazardous material is prohibited.
 - 4. Portable storage containers shall be placed on a hard surface area such as asphalt or concrete.
 - 5. Portable storage containers shall be located behind the principal structure or otherwise located to preclude their visibility from public streets.
 - 6. Portable storage containers shall not encroach upon any required yard, building setback or buffer yard area required by ordinance.
 - 7. Portable storage containers shall not obstruct any drive or other space necessary for access by fire vehicles, equipment or other apparatus.

8. The placement of a portable storage container shall not reduce the number of parking spaces below the minimum number required for the zoning district in which the use is located.
9. Portable storage containers used in conjunction with a construction project, for which a building permit has been issued, are exempt from these standards. The temporary portable storage container must be removed immediately upon completion or cessation of construction.
10. The City's Plan Commission, upon review, may permit the temporary placement of portable storage containers for periods longer than 120 days during any calendar year and for the placement of more than two on the property. In no case shall the Plan Commission approve the placement of a portable storage container for more than one year or the placement of more than five containers on a property.

Section 3. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance be for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not otherwise affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 4. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:


 Jane B. Lang, Mayor

Moved by: Stevenson/Hillstrom

Adopted: 7-0 Borchardt/Steiner Excused

Approved: April 4, 2023

Published: April 27, 2023

Attest:


 Charlotte Nagel, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
 City Attorney David C. Rashid
 211 Walnut Street
 Neenah, WI 54956
 State Bar No. 1056542

