

**ARTICLE XII. PORTABLE STORAGE UNITS\***

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**\*Editor's note:** Ord. No. CC-2008-1795, §§ 1--7, adopted November 18, 2008, did not specifically amend the Code; hence, inclusion as Ch. 12, Art. XII, §§ 12-331--12-337 was at the discretion of the editor.

**Cross references:** Streets, sidewalks and other public places, ch. 15 et seq.; general traffic regulations, ch. 17, art. IV; Unified Development, App. A.

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**Sec. 12-331. Definitions.**

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

(a) *Portable storage unit (PSU)* is any type of non-motorized container, structure, trailer or module which is intended and designed for the storage of personal property items, which is typically delivered and removed by vehicle, and which may be temporarily rented or owned by the owners or occupants of properties in the city.

(b) *Site or property* is any lot, parcel, tract, or plat of land located in any residential or commercial zoning district of the city, including public rights-of-way.

(Ord. No. CC-2008-1795, § 1, 11-18-2008)

**Sec. 12-332. Scope.**

(a) This article shall not apply to or regulate portable storage units in areas which are zoned I-LIM (Low Impact Manufacturing) or I-HIM (High Impact Manufacturing).

(b) This article shall not apply to or regulate any portable storage unit used for a public works project as defined by the Indiana Statutes.

(c) The city reserves the right to suspend the requirements and fees for portable storage units in the event of a natural disaster.

(Ord. No. CC-2008-1795, § 2, 11-18-2008)

**Sec. 12-333. Requirements, limitations, and prohibition for usage.**

(a) There shall be no more than one portable storage unit located on any site, property, or public right-of-way per address at any time in any area zoned residential or commercial

(b) No portable storage unit shall exceed 130 square feet in total area.

(c) No portable storage unit may be used for human habitation.

(d) No portable storage unit may be used as a detached permanent storage building, utility building, workshop, hobby shop or other commercial venture.

(e) Prior to the placement of any portable storage unit on any site, property or right-of-way within the city, the property owner, or the authorized occupant of the site or property must apply for and receive a permit from the city. The zoning department shall provide an application form that will require the signature or consent of the property owner, a diagram depicting the proposed location of the unit, and an affirmation of compliance with the provisions of this article.

(f) The request for the placement of a unit shall specify whether the placement is for a temporary period or an extended period. A temporary period shall be defined as a placement lasting 14 days or less. An extended placement is defined as a placement for 15 to 60 days.

(g) The cost of securing the permit and the department's review of the application and the proposed placement shall be \$20.00 for a temporary placement or \$50.00 for an extended placement.

(h) The city reserves the right to deny a permit at any time based on the placement of the unit interfering with a public event or a public works project.

(Ord. No. CC-2008-1795, § 3, 11-18-2008)

#### **Sec. 12-334. Duration of placement of units.**

(a) Temporary storage unit permits are valid for a period of 14 calendar days from the date of issuance of the permit by the zoning department.

(b) Extended storage unit permits are valid for a period of 60 calendar days from the date of issuance of the permit by the zoning department.

(c) If a permit for an extended period requires approval of a public right-of-way obstruction, the permit shall be valid for a period of 60 days from the approval of the obstruction by an authorized city official.

(d) Temporary permits may not be renewed.

(e) Extended permits may be renewed once thereafter, for a period of renewal of no longer than an additional 60 days.

(f) The fee for a renewal of an extended permit shall be the same as the initial fee.

(g) No portable storage unit may remain on any site, property, or public right-of-way for a cumulative period of more than 120 days during any rolling 12 month period.

(Ord. No. CC-2008-1795, § 4, 11-18-2008)

#### **Sec. 12-335. Location of portable storage units.**

(a) In a district zoned residential, a portable storage unit may be placed on a driveway, other paved surface, or where directed by the zoning department. If the zoning department recommends placement of the unit within the public right-of-way, and right-of-way obstruction form must be completed before placement. It shall be solely within the authority of the zoning department as to whether a unit should be placed on public or private property.

(b) In a district zoned commercial, a portable storage unit shall only be placed in the rear or side portion of the site or property. No unit shall be permitted to be placed in an area fronting a street, the front parking lot area of the site or property, fire lanes, passenger loading zones, sidewalks, or other public ways unless first recommended by the zoning department and approved by the board of public works.

(c) No portable storage unit may be placed in the public right-of-way on 119th Street from Atchison Avenue to Front Street or on Indianapolis Boulevard from Atchison Avenue to 129th Street

(d) If it is determined that a unit needs to be placed in any public right-of-way said placement shall not conflict with any other parking restriction listed in Whiting Municipal Code Chapter 17, Article XI Parking and Article XVII Schedules.

(Ord. No. CC-2008-1795, § 5, 11-18-2008)

### **Sec. 12-336. Maintenance and prohibitions of hazardous materials or substances storage.**

(a) All portable storage units shall be in good conditions and free from deteriorations, weathering, discoloration, rust, ripping, tearing, or other holes or breaks. The units shall maintain an appearance appropriate to its location, remain locked when not in use, and provide a weatherproof clear pouch for the exterior display of the city permit.

(b) With the exception of the name, address and phone number of the business entity that owns any portable storage unit, no commercial advertising shall be permitted on any such unit placed in the city.

(c) The placement and storage of hazardous, incendiary, combustible, noxious, or pernicious materials or substances within any unit is strictly prohibited.

(d) The city reserves the right to request a list of the contents for the use of the Whiting Fire Department when the department so requests for public safety purposes.

(Ord. No. CC-2008-1795, § 6, 11-18-2008)

### **Sec. 33-337. Violations and penalties.**

A. Any person who violates any of the provisions contained in this article shall be subject to the general penalty provisions of Whiting Municipal Code Section 1-11.

B. In the event that a portable storage unit remains in the public right-of-way in excess of the permitted time frame, the city reserves the right to remove the obstruction.

(Ord. No. CC-2008-1795, § 7, 11-18-2008)