

# ORDINANCE 38E AMENDMENT A

## AN ORDINANCE REGULATING THE USE OF SHIPPING CONTAINERS IN THE TOWN OF BAYSIDE TEXAS.

### Section 1: Purpose and Intent

The purpose of this ordinance is to eliminate the placement and use of shipping containers within the Town of Bayside.

### Section 2: Definitions.

For the purpose of this ordinance, the following terms are defined as follows:

\* **Shipping Container:** A large standardized metal box used for the transport of goods.

### Section 3: Placement and Use

1. **Residential Areas:** The use of shipping containers as storage units, dwellings or any other purpose within residential zoned areas is prohibited.
2. **Commercial Business and Industrial Areas:** The use of shipping containers as storage units, dwellings or any other use within commercial and / or Industrial zoned areas is prohibited.

### Section 4: Exceptions

1. **Temporary Use:** Shipping containers may be used as a storage unit temporarily in all zones during active construction projects, provided they have a permit and are removed at the completion of the project or whenever permit expires whichever comes first.
2. **Emergency Situations:** In the event of a natural disaster or emergency declared by the local government, shipping containers may be temporarily used for storage or shelter as deemed necessary by emergency management authorities with a permit for up to 6 (six) months.

### Section 5: Enforcement and Penalties

1. **Enforcement:** The local zoning and code enforcement official(s) are authorized to enforce the provisions of this ordinance.
2. **Penalties:** Any person or entity found in violation of this ordinance shall be subject to fines and penalties not to exceed \$500.00 per day.

### Section 6: Severability

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

**PASSED AND APPROVED** this \_\_\_\_\_ by the Town Council of Bayside Texas.

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Sharon Scott, Mayor

ATTEST:

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Connie Cramer Town Secretary