

**VILLAGE OF HEAD OF THE HARBOR
BOARD OF TRUSTEES**

**PROPOSED LOCAL LAW NO. 6 OF 2020 AMENDING CHAPTER 165 OF THE
CODE OF THE VILLAGE OF HEAD OF THE HARBOR TO REGULATE
PORTABLE STORAGE UNITS**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Head of the Harbor as follows:

Section 1. Amendments.

Chapter 165, Article VIII, of the Code of the Village of Head of the Harbor is hereby amended to read as follows:

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§ 165-34.3. Portable Storage Units

A. Definitions. For purposes of this section, the following terms, phrases and words shall have the following meanings:

PORTABLE STORAGE UNIT - Any portable container, receptacle, or device of a type commonly used for the temporary storage of personal property and other matter. The term shall include, but not be limited to, trailers, shipping containers, portable on-demand storage unit (PODS®) and other similar containers.

B. Permit required. No person shall place a portable storage unit on any property in the Village without a written permit from the Village Clerk.

C. Application; fee.

1. An applicant seeking a permit to place a portable storage unit on his or her property must submit an application, on a form provided by the Village Clerk, which shall include, but not be limited to, the following information:

- a. Name and address of the applicant;
- b. Name and address of the supplier of the portable storage unit;
- c. The address of the property where the portable storage unit will be located;
- d. The intended use for the portable storage unit;
- e. A description or diagram of the location where the portable storage unit will be placed on the property;
- f. A physical description of the portable storage unit, including its approximate physical dimensions; and

6. No portable storage unit shall be used for habitable purposes or to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, goods for use other than at the property where the portable storage unit is located (i.e., used for retail sales) or any other illegal or hazardous material. Upon reasonable notice to the applicant, and with the applicant's consent, or pursuant to a warrant, the Village may inspect the contents of any portable storage unit at any reasonable time to ensure that it is not being used for any prohibited purpose.
 7. A portable storage unit that is not removed at the end of the time for which permission has been granted shall be deemed to be an illegal structure and may be removed by the Village, upon reasonable notice, and the costs and expenses thereof shall be certified to the Board of Trustees, which Board shall then assess such costs and expenses against the property on which the portable storage unit was located, which costs shall be collected and enforced in the same manner as real property taxes.
- F. Revocation of permit. If the applicant or supplier fails to comply with the requirements for the placement and use of portable storage units, the Village Clerk may revoke the permit. Upon revocation of the permit, the portable storage unit shall be removed from the property within three business days.

Section 2. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 3. Effective date.

This local law shall take effect immediately upon filing with the New York Secretary of State.