

ORDINANCE NO. 1034-2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-011, UTILITY SHED, BY DEFINING AND PROVIDING REGULATIONS GOVERNING THE LOCATION, SIZE AND MAINTENANCE OF PORTABLE STORAGE MODULES; PROVIDING AN EXCEPTION TO REGULATION FOR STORAGE CONTAINERS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

**WHEREAS**, the Code Department has previously considered the regulation of outside storage modules that are not capable of permanent installation like utility sheds; and,

**WHEREAS**, while the City has contemplated how best to regulate these temporary outside modules, many citizens have acquired and placed these "Rubbermaid Sheds" upon their properties; and,

**WHEREAS**, this recent proliferation of these "hybrid" sheds has made it more urgent for the City to develop regulations for the placement of such modules within the City; and,

**WHEREAS**, the Code Department has determined that there is an appropriate compromise manner in which to legislate the placement of these modules; and,

**WHEREAS**, the City Council has determined that it is in the best interests of the City and its citizens to enact legislation regulating these portable storage modules:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That Code of Ordinance Section 150-011, Utility Shed, is hereby amended as follows:

Section 150-011. Utility Shed.

(A) The following provisions shall regulate and govern the installation and location of utility sheds on single-family residential properties in the City.

- (A) 1. ...
- (B) 2. ...
- (C) 3. ...
- (D) 4. ...
- (E) 5. ...

(B) The following provisions shall regulate and govern the maintaining of other types of outdoor storage containers on single-family residential properties in the City other than utility sheds as provided above.

1. A portable storage module is typically an outdoor storage container that is made of extruded plastic, cannot comply with the installation or wind load requirements of the Florida Building Code for permanent ground installation, is of a non-permanent and portable nature, and are commonly known as "Rubbermaid Sheds" in the community.
2. Any portable storage module that is a minimum of six feet in height at the center point of the module may be maintained in the rear yard of any single-family residential property of the City, so long as it is not placed within five feet of any property line, is capable of being dismantled within three hours, complies with the size limitations provided in Code Sections 150-011 (A)(2) and (A)(3), and there is no other shed or module located in the rear yard of the property. These module units are required to be dismantled prior to serious storm activity which could cause the units to be broken or picked up by high winds and cause damage to other neighborhood properties.
3. Any portable storage module that is less than six feet in height at the center point is considered to be an outdoor storage container and is not regulated by the Code of Ordinances.

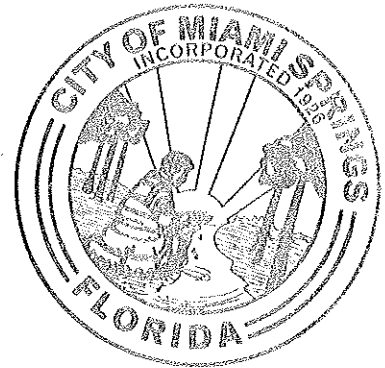
**Section 2:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

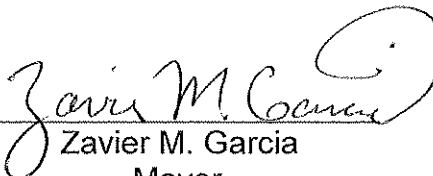
**Section 3:** That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida this 14<sup>th</sup> day of May, 2012.

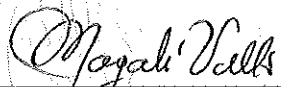
The motion to adopt the foregoing ordinance was offered on second reading by Vice Mayor Lob, seconded by Councilman Espino, and on roll call the following vote ensued:

|                   |       |
|-------------------|-------|
| Vice Mayor Lob    | "aye" |
| Councilman Best   | "aye" |
| Councilman Espino | "aye" |
| Councilwoman Ator | "aye" |
| Mayor Garcia      | "aye" |




  
Zavier M. Garcia  
Mayor

**ATTEST:**

  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

  
Jan K. Seiden, Esquire  
City Attorney

First reading: 04-23-2012  
Second reading: 05-14-2012

Words ~~-stricken through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.