

ORDINANCE 2008-03

AN ORDINANCE OF THE VILLAGE OF CEDAR CREEK, CASS COUNTY NEBRASKA ADOPTING AN ORDINANCE PROHIBITING SHIPPING CONTAINERS AND OR TRAILERS FOR STORAGE PURPOSES; TO REPEAL ALL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE ABATEMENT PROCEDURES; COST OF REMOVAL; PENALTY.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CEDAR CREEK, NEBRASKA:

SHIPPING CONTAINERS AND TRAILERS AS STORAGE BUILDINGS
PROHIBITED

Section 1:

A. It is the intent of this chapter to limit, except as provided herein, the placement and use of any shipping container as an accessory building, storage building, or living unit on residentially zoned, commercially zoned and other zoned land where residential uses are established. This limitation is to protect the public health and safety and the aesthetic quality of the Village.

B. No person shall place or cause to be placed or use or permit the use of any shipping container as an accessory building, storage building, or living unit on residentially zoned land, commercially zoned land and/or land used for residential purposes.

C. No trailers manufactured primarily for conveyance of goods and property shall be utilized for storage purposes in any residential or commercial zoning district of the Village.

D. This ordinance shall apply to all trailers and or shipping containers manufactured with or without axles and wheels.

E. This ordinance shall become effective immediately upon adoption.

F. Whenever the Board of Trustees discovers or it is brought to their attention that there is a trailer or shipping container located on residential or commercial property within the Village, the village clerk shall cause written notice to be served upon the owner of the property on which the trailer and or shipping container is located by registered mail or by personal service. Such notice shall state that the trailer and or shipping container shall be removed within 10 business days of receipt of notice.

G. If the owner or occupant of the lot or piece of ground fails to comply with the order to abate and remove the trailer and or shipping container within 10 days from receipt of the notice to abate, the village may have such work done and the cost and expense of such work shall be paid by the owner of the property. If unpaid for two months after such work is done, the Village may either levy and assess the costs and expenses of the work

upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed, or recover in a civil action the costs and expenses of the work.

Section 2:

All other ordinances approved prior to passage, approval and publication or posting of this ordinance which conflicts with these provisions is repealed.

Section 3:

This ordinance is adopted and published in pamphlet form and shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and approved this 2nd day of December, 2008.

Dan Muntz, Chairman Board of Trustees

Attest:

Mary Terry, Municipal Clerk/Treasurer