

ORDINANCE NO. 104, FOURTH SERIES

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT
ORDINANCE, 2014 EDITION, AS PROVIDED IN §14.04 OF THE
REDWOOD FALLS CITY CODE, FOR THE PURPOSE OF REGULATING
THE USE OF PORTABLE STORAGE/SHIPPING CONTAINERS
WITHIN THE CITY OF REDWOOD FALLS**

THE CITY COUNCIL OF REDWOOD FALLS DOES ORDAIN:

SECTION 1. PURPOSE.

WHEREAS, pursuant to State Statute §462.357 which enables cities to enact land use plans through zoning ordinances, a certain document, one (1) copy of which is on file in the office of the City Administrator of the City of Redwood Falls, being marked and designated as the Unified Development Ordinance, 2014 Edition, was adopted, after public hearing, as the Unified Development Ordinance of the City of Redwood Falls, State of Minnesota by Ordinance No. 44, Fourth Series, on November 7, 2014 by the City Council of Redwood Falls. The Unified Development Ordinance of the City of Redwood Falls, State of Minnesota, was adopted for regulating and governing zoning ordinances for the purpose of promoting public health, safety and the general welfare; for the future layout and landscape of the City for years to come; for the development or preservation of open space; for the redevelopment and revival of existing properties; and to develop future plans for harmonious and healthy land use patterns that are consistent with the goals of the City's Comprehensive Plan; and

WHEREAS, after public hearing, Ordinance No. 90, Fourth Series, adopted on May 21, 2024, adopted the Unified Development Ordinance, 2014 Edition, of the City of Redwood Falls with amendments to sections 7.18, 7.20, and 7.24, modifying, zoning, performance standards, and use designations for pools, residential accessory structures, and solar energy systems; and

WHEREAS, the Unified Development Ordinance, 2014 Edition, shall continue and remain adopted as the Unified Development Ordinance of the City of Redwood Falls, State of Minnesota. The Unified Development Ordinance, 2014 Edition, shall remain on file in the office of the City Administrator of the City of Redwood Falls, is hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance with amendments as noted below; and

WHEREAS, the Council finds and concludes that the proposed provisions are appropriate and lawful land use regulations for the City of Redwood Falls, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good; and

WHEREAS, The purpose of this Chapter is to provide for the public health, safety, and general welfare of the community and its people through the establishment of standards to ensure that portable storage/shipping containers as defined herein are used for the short-term, temporary storage and transport of personal property; are not used as accessory buildings; and do not

impede vehicular access, traffic flow or circulation, or create public safety hazards. It is the intent of this Ordinance that portable storage/shipping containers be placed on private property.

SECTION 2. That after a public hearing and review of all the evidence pertaining to the request to amend the Unified Development Ordinance, 2014 Edition, as referenced in Section 7, the City Council of the City of Redwood Falls makes the following:

FINDINGS OF FACT

1. The amendments are consistent with the applicable policies of the City's Comprehensive and Land Use Plan.
2. The amendments do not propose to change the zoning classification of a particular property.
3. The amendments are in the best interest of the public as they promote orderly development and are not solely for the benefit of a single property owner.

SECTION 3. CONFLICT AND REPEAL. That any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Redwood Falls City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. APPLICATION. That nothing in this ordinance or in the Unified Development Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. That Chapter 14, Section 14.01 of the Redwood Falls City Code continue to read as follows:

"SEC. 14.01. UNIFIED DEVELOPMENT ORDINANCE. The Unified Development Ordinance, 2014 Edition, is hereby adopted by reference as though set forth verbatim herein. One copy of said Code shall be marked CITY OF REDWOOD FALLS-OFFICIAL COPY and kept on file in the office of the City Administrator and open to inspection and use by the public."

SECTION 7. That Chapter 14, §14.04 of the Redwood Falls City Code be amended to read as follows:

~~**SEC. 14.04 [RESERVED]**~~

"SEC. 14.04. AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE. *The Unified Development Ordinance, 2014 Edition, as adopted on November 7, 2014, April 6, 2021, May 21, 2024, and January 2, 2025, by reference as though set forth verbatim in §14.01, §14.02, and §14.03 is hereby amended to read as follows:*

1. Chapter 18 PORTABLE STORAGE/SHIPPING CONTAINERS

ARTICLE 1. GENERAL PROVISIONS

18.01 Purpose

This chapter is established for the purpose of protecting the public health, safety, and general welfare of the community and its people through the establishment of standards to insure that portable storage/shipping containers as defined herein are used for the short-term, temporary storage and transport of personal property; are not used as accessory buildings; and do not impede vehicular access, traffic flow or circulation, or create public safety hazards within the legal boundaries of the City of Redwood Falls through the use of zoning requirements, and land use designations and restrictions.

18.02 Definitions

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (A) The term “Containers” includes but is not limited to portable storage units, shipping containers, pods, Conex, cargo/freight container, reefer, and dry van. The term may be used interchangeably within this ordinance.
- (B) The term “Permanent” means a period of time that exceeds six (6) months.
- (C) The term “Portable Storage Unit” means a storage unit or container designed, constructed, or reconstructed to be capable of movement via towing, hauling or attachment to a vehicle from one site to another and designed to be used without a permanent foundation for storage or shipment of household goods, wares, building materials or merchandise. Portable storage units shall include semi-trailers and similar units which are being used for storage rather than transport.
- (D) The term “Shipping Container” means an article of transport equipment which falls into any of the following categories:

- 1) Originally, specifically or formerly designated for or used in the parking, shipping, movement, transportation, or storage of freight, articles, goods, or commodities; and/or,
- 2) Designed for or capable of being mounted or moved on a rail car, or mounted on a chassis or bogie for movement by a truck trailer, or loaded on to a ship; and/or
- 3) A prefabricated metal structure designed for use as an individual shipping container or a metal structure designed and built for the use as an enclosed truck trailer.

(E) The term “Temporary” means a period of time that does not exceed six (6) months.

ARTICLE 2. REQUIREMENTS

18.03 Zoning and Use

(A) Containers may not be placed, stored, or used permanently or temporarily on any property zoned for residential use (including the R-1, R-2, R-3, R-4, and R-R districts). Containers with alterations, such as cosmetic or structural changes done in order for the container to appear more like a typical accessory building or accessory structure are not allowed.

(B) Containers may be placed and used on property in any other zoning district, other than residential districts, for temporary storage. A maximum of one (1) container shall be allowed on the property for no more than six (6) months.

18.04 General Regulations and Use Standards

The following regulations shall apply to all Containers within City Limits:

- (A) Containers shall not be stacked on one another.
- (B) Containers shall not be used for human habitation or commercial purposes, and shall not be provided with refrigeration, heating, electricity or plumbing.
- (C) Refuse and debris shall not be stored in, against, on or under the container.
- (D) Containers may not occupy any required off-street parking spaces or loading/unloading areas or fire lanes in any district.
- (E) Containers shall not block, obstruct, or reduce in any manner any required exits, windows, vent shafts, parking spaces, and/or access driveways.
- (F) Containers shall comply with all applicable building and fire code regulations.
- (G) Containers shall be placed on an impervious surface, consisting of asphalt, concrete, brick, or cement pavers, and be located a minimum of fifteen (15) feet from the edge of the street.

- (H) Containers shall be structurally sound, stable, and in good repair. Any container that becomes unsound, unstable or otherwise dangerous shall be immediately repaired or removed from the property. The City shall provide notice to the owner of the property where the container is located of any condition in violation of this section. After notice to the property owner, any cargo container stored or kept in such a manner deemed a dangerous condition and a public nuisance as determined by the City may be immediately removed by the City. Any cost or expense associated with the removal shall be the responsibility of the property owner where the container is located.
- (I) No container shall be used to store any illegal or hazardous material.
- (J) Other than ownership identification, no advertising sign shall be attached to a portable storage/shipping container.

18.05 Exceptions

The following containers are exempt from this ordinance:

- (A) Containers for sale or rent or awaiting service that are located on premises owned or leased by a person or business legally engaged in the sale, rental, or service of Portable Storage Units.
- (B) Semi-Trailers that are licensed and road-ready, that are in compliance with all other parking requirements of the Uniform Development Ordinance and City Code.
- (C) Properly licensed fish houses, properly licensed and road-ready recreational vehicles and trailers, and accessory structures that are in compliance with all other requirements of the Uniform Development Ordinance and City Code.
- (D) Containers which are contained within a building.
- (E) Containers that are actively being unloaded and will be located on private property for 7 days or less.
- (F) Containers that are actively being used as part of a City permitted construction project.

ARTICLE 3. VIOLATIONS AND PENALTIES

18.06 Current Violations

Containers located within the listed zoning districts prior to the effective date of this ordinance are considered illegal. All property owners within the City shall have twelve (12) months from the effective date of this ordinance to bring the properties, which currently hold containers that are in violation of the terms of this Chapter, into full compliance with the provisions of this Chapter.

18.07 Penalties

Any person, firm, or corporation who shall violate or refuse to comply with any of the provisions of this Chapter shall be guilty of a misdemeanor as punishable by a fine not to exceed

\$1,000 or imprisonment for not more than 90 days, or both, plus the costs of prosecution in either case except as otherwise stated in specific provisions hereof. Each day a violation is permitted to exist shall constitute a separate offense.

18.08 Public Nuisance

(A) The delivery, placement, and maintenance of Containers in violation of this Chapter is declared to be a public nuisance affecting peace and safety because it: 1) obstructs views on streets and private property; 2) creates cluttered and otherwise unsightly areas; 3) prevents the full use of residential streets for residential parking; 4) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited; 5) decreases adjoining landowners' and occupants' use and enjoyment of their property and neighborhood; and 6) otherwise adversely affects property values and neighborhood patterns.

(B) Any criminal penalty notwithstanding, the City of Redwood Falls may determine a Container delivered, placed, or maintained in violation of this Chapter to be a public nuisance affecting peace and safety and order the nuisance abated pursuant to Section 10.69 of the Redwood Falls City Code of Ordinances. The cost of enforcement, removal, and disposal shall be a lien against the subject real property as provided by City Code Section 10.69, Subd. 7, as it may be amended from time to time, but the assessment shall be payable in a single installment.

SECTION 8. EFFECTIVE DATE. That this Ordinance becomes effective from and after its passage and publication of its adoption and reference that a printed copy of the Unified Development Ordinance is available for inspection by any person during regular office hours at the office of the City Administrator.

Posted at City Hall April 22, 2026