



**CITY OF WEST ST. PAUL**  
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

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**OPEN COUNCIL WORK SESSION**  
**April 25, 2016**  
**IMMEDIATELY AFTER THE EDA WORK SESSION**  
**MUNICIPAL CENTER**  
**ADMINISTRATION CONFERENCE ROOM**

1. Roll Call
  
2. Approve Agenda
  
3. Review The Regular Meeting Consent Agenda
  
4. Agenda Item(S)
  - 4.A. Trash Storage And Temporary Storage Container Amendment  
Estimated Time Required: 30 minutes  
Documents: [COUNCIL REPORT - CONTAINER AMEND.PDF](#), [ORDINANCE - CONTAINER AMENDMENT.PDF](#)
  
5. Adjourn

**Parking Lot of Upcoming Topics - Anticipated OCWS, Expected Time**

- Recycling / Organics Program - May 23, 30 min.

**Future Topics for Discussion & Consideration**

- Net Ministries (15 min.)
- North Gateway Development
- Sidewalk/Trail Assessment Policy (30 min.)
- Solid Waste Management Discussion (90 min.)

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*If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at  
651-552-4100, TDD 651-322-2323 at least 5 business days prior to the meeting  
[www.wspmn.gov](http://www.wspmn.gov) EOE/AA*

**TO:** Mayor and City Council  
**THROUGH:** Matt Fulton, City Manager  
 Jim Hartshorn, Community Development Dir.  
**FROM:** Ben Boike, Assistant Comm. Dev. Dir.  
**DATE:** April 25, 2016  
**SUBJECT:** Temporary Outdoor Storage Ordinance (PODs)



City of West St. Paul

**BACKGROUND INFORMATION:**

During the recent codification process, Staff proposed the inclusion of a text amendment to provide requirements for temporary outdoor storage containers, also known as PODs, on residential property. Instead of rushing the proposed amendment through the codification process, Council requested that the draft amendment be reviewed through the normal code amendment process. In addition to adding language relating to storage containers, Staff is also proposing some text amendments in relation to residential trash containers.

Per the Summary Publication language in the attached ordinance, the proposed ordinance accomplishes the following:

- 1) Clarifies that trash containers can be set out no sooner than the day before collection day and must be removed no later than the day after collection day. When not awaiting collection, trash containers must be stored in the rear yard, garage or in an accessory building. However, they can be stored in a side yard if the house is setback at least 50 feet from the curb or if screened by a hedge or other enclosure.
- 2) Limits the location, length of time, and number of temporary outdoor storage containers allowed on a lot at one time on residential property and establish a permitting process. Temporary outdoor storage containers shall be limited to no more than one portable on-demand storage unit and one roll-off dumpster for no more than 30 days on a site in a 12 month period with extensions allowed if used in conjunction with a valid building permit.

**FISCAL IMPACT:**

N/A

	Amount
<b>Fund:</b>	
<b>Department:</b>	
<b>Account:</b>	

**STAFF RECOMMENDATION:**

Staff is requesting feedback from Council on the draft language and direction on whether or not to proceed with a City Ordinance amendment.

Ord. No. 2016-\_\_\_\_

CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA

AN ORDINANCE AMENDING  
WEST ST. PAUL CITY CODE CHAPTER 92, SECTION 92.02  
REGARDING GARBAGE AND RUBBISH AND TEMPORARY OUTDOOR  
STORAGE CONTAINERS

The City Council of West St. Paul does ordain:

**SECTION 1. AMENDMENT.** West St. Paul City Code Chapter 92, Section 92.02 relating to Garbage and Rubbish is hereby amended as follows:

**92.02 GARBAGE AND RUBBISH.**

(A) *Dumping or leaving rubbish.* It is unlawful for any person to deposit, unload, dump, discharge, throw out, place or maintain any rubbish, garbage, refuse, noxious matter or waste upon any public street, sidewalk or property.

(B) *Exceptions.*

(1) When awaiting collection, all garbage and rubbish ~~may be~~ must be properly placed in a container (including all loose contents), stored in the front yard, driveway, or public boulevard as follows:

(a) ~~Up to four hours in closed plastic or waterproof bags; or~~ Containers may be set out no sooner than one day prior to collection day;

~~Up to 18 hours in rigid covered, plastic or metal containers.~~ Containers (and any material not picked up by the garbage hauler) must be removed from the front yard, driveway or public boulevard by the end of collection day.

~~(2) Other than as provided above,~~ When not awaiting collection, garbage and rubbish must be properly stored in containers that are kept in rear yards, in accessory buildings or in garages ~~or screened from view from any public street.~~ Containers may only be stored in a side yard if the setback of the home is at least 50 feet from the curb and they are stored behind the front building line of the home; if the setback of the home is not 50 feet from the curb, then the containers may only be stored in a side yard if they are screened by a hedge or enclosure so that they are not in immediate view of the public street.

(C) *Dumping on property.* It is unlawful for any person to dump or permit the dumping of garbage, refuse, rubbish, discarded articles and other debris upon any property without a permit pursuant to §§ 32.15 through 32.20.

(D) Temporary Outdoor Storage Containers. “Temporary outdoor storage containers” includes, but are not limited to, portable on-demand storage units and roll-off dumpsters. All temporary outdoor storage containers placed in a residential zoning district or on residential property shall be regulated by this section.

(1) Permit. No temporary outdoor storage containers may be placed in a residential zoning district or on residential property without a permit pursuant to City Code Section 32. No more than one portable on-demand storage unit and one roll-off dumpster will be permitted on a lot at one time. A separate fee shall be required for each temporary storage container requested. Staff reserves the right to restrict the number of temporary storage containers per lot to protect the general health, safety and welfare of the public. Either the residential property owner upon whose property the container will be placed or the company placing the temporary storage container may apply for a permit. The permit holder will be responsible for complying with the terms of this ordinance.

(2) Location. Temporary outdoor storage containers shall be placed in private driveways whenever possible. However, all temporary outdoor storage containers must comply with the following requirements:

- (a) They shall not obstruct any public sidewalk;
- (b) They shall not be located within 30 feet of an intersection;
- (c) They shall be located at least 6 feet from any residential building;
- (d) They shall be located at least 10 feet from any property line, unless located in a driveway or on a street;
- (e) With the exception of new construction sites, they must be placed on a concrete or asphalt type surface. Wood planking or plywood shall be placed under the wheels or “feet” of the container;
- (f) If located in a street or alley, flashers or reflective tape are required on or around the container.

(3) Length of time. Temporary outdoor storage containers shall not be located on an individual lot, parcel or site for more than 30 days during any 12 month period. Additional 30 day extensions may be granted by the City if the container is used in conjunction with a valid building permit for up to a total of 90 days annually for single-family residential and up to a total of 180 days annually for multi-family residential.

(4) Any damage to public property, such as the street, curb or sidewalk as a result of the placement of the temporary storage container is the responsibility of the permit holder. Damage to public property is deemed to be a Public Nuisance and will result in Emergency Abatement procedures being followed pursuant to City Code Section 94.15(E) and the costs being assessed against the property pursuant to City Code Section 94.20(B).

(5) Other. Temporary outdoor storage containers shall be constructed in such a manner that its contents will be adequately contained and the container shall be maintained in good repair.

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance amendment clarifies that trash containers can be set out no sooner than the day before collection day and must be removed no later than the day after collection day. When not awaiting collection, trash containers must be stored in the rear yard or in an accessory building. However, they can be stored in a side yard if the house is setback at least 50 feet from the curb or if screened by a hedge or other enclosure. In addition the ordinance amendment adds language to limit the location, length of time, and number of temporary outdoor storage containers allowed on a lot at one time on residential property and establish a permitting process. Temporary outdoor storage containers shall be limited to no more than one portable on-demand storage unit and one roll-off dumpster for no more than 30 days on a site in a 12 month period with extensions allowed if used in conjunction with a valid building permit.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Ayes:

Nays:

Attest:

\_\_\_\_\_  
David Meisinger, Mayor

\_\_\_\_\_  
Chantal Doriott, City Clerk