

MACON TOWNSHIP

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE ZONING ORDINANCE TO REGULATE THE USE
OF CARGO, SHIPPING, AND STORAGE CONTAINERS WITHIN THE TOWNSHIP**

THE TOWNSHIP OF MACON HEREBY ORDAINS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the Township's Zoning Ordinance to regulate portable toilets.

SECTION 2. AMEND ARTICLE IV

Article IV of the Zoning Ordinance is hereby amended to add Section 4.25 as follows:

“Section 4.25. Outdoor Storage Containers. It is the intent of this Section to limit the placement and use of cargo, shipping, and storage containers as accessory buildings, storage buildings, on any parcels located in any zoning district in the Township except as provided for herein. This limitation is to protect the public health and safety and the aesthetic quality of the Township.

- A. Storage Container Defined. A shipping container is a metal or primarily metal container designed or constructed to ship, store, or handle bulk goods or items, or which appears substantially similar to such containers in appearance. Such containers include reusable steel boxes, freight containers, and bulk shipping containers; originally, a standardized reusable vessel that was designed for parking, shipping, movement, transportation, and storage of freight, articles of goods, or commodities; generally capable of being mounted or moved on a semi-truck, rail car, or loaded on a ship. For the purposes of this section, “cargo container” and “shipping container” shall have the same meaning.
- B. Permitted Area and Placement. Use of storage containers as accessory buildings is limited to the AG, Agricultural District on lots or parcels of land six (6) acres or greater upon which no dwelling unit is present, provided, however, all applicable building, permitting, and zoning regulations are met and approval is granted by the Township before the placement of storage container(s). The use of storage containers in the R-1, Single Family Residential; R-2, Single Family Residential; and RM, Multiple Family and Manufactured Housing Residential Districts is prohibited, except as noted in subsection C(1) below.
- C. Regulation of Use. The following regulations apply to all storage containers used in accordance with this Ordinance:
 - 1. Storage container(s) may be allowed without a permit for use on-site during substantial construction or renovation of a property, as evidenced by active building permits, upon a finding by the Township's Building Official that such outside storage is necessary. Such temporary placement of shipping containers shall not exceed forty-five (45) days in any one (1) calendar year.

2. No plumbing may be run or connected to a storage container.
3. Storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29.1 et seq.
4. No storage container may be used as living quarters.
5. No structural modifications may be made to a storage container.
6. No livestock or pets may be stored in storage containers.
7. Storage containers may only be placed on a solid foundation (road base material/gravel or better).

D. Location and Orientation. The following shall apply to all storage containers located in the Township:

1. Storage containers shall not be stacked on top of another container or any other object.
2. Storage containers shall meet all required setbacks.
3. Storage containers shall be located in rear yards with the exception that they may be allowed in the side yard but not forward of the front building.
4. Storage containers must be screened so as to not be visible from the street or nearby buildings, drives, and roads.
5. Storage containers shall not occupy required off-street parking, fire lanes, loading, or landscaping areas.
6. Storage containers shall not be placed on public property, including the street, sidewalk, or right-of-way, unless express written consent has been granted by the Township.
7. Storage containers shall not be placed in a way that interferes with the operation or maintenance of a public utility.
8. No storage container shall be placed in a location which may cause hazardous conditions, constitute a threat to public health, safety, or welfare, or create a condition detrimental to the surrounding land use and development, as determined by the Township or its designee.

E. Storage Containers Conditions. All storage containers located within the Township shall meet the following minimum conditions:

1. Storage containers shall be painted in solid colors (colors which blend into the surrounding area).
 2. Storage containers shall not be used for any advertising purposes and shall be kept clean of all alpha-numeric signage and writing.
 3. Any writing or graffiti that may be placed on the shipping container is the responsibility of the property owner and shall be promptly removed.
 4. Storage containers must be in new or good condition and free of any damage caused by wear or misuse that would allow leaks or access by rodents.
 5. It is the responsibility of the property owner to lawfully and adequately repair any damage done to Township property in the placement, use, or removal of a storage container.
- F. Applications and Permits. Applications for storage container permits shall be filed with the Zoning Administrator upon forms furnished and approved by the Township Board. Said application shall be printed in ink or typewritten and shall furnish the name of the applicant, a visual representation of the location and orientation of the storage container in relation to the property, and other detailed information as determined necessary by the Township.
- G. Fees. The Township Board shall, by Resolution, determine and set the fees to be charged for all applications, permits, and fees for appeals to the Board of Appeals. The Township Board may revise said fees from time to time by Resolution, provided, however, that a public notice of any such revision shall be published in the newspaper having general circulation in the Township at least thirty (30) days in advance of the effective date thereof. Such fees shall be collected by the Township Clerk or Zoning Administrator prior to issuance of said permit.
- H. Current Violations. All property owners and/or lessors shall have one hundred eighty (180) days from the effective date of this ordinance to bring properties that currently have storage containers on site into full compliance with the provisions of this Ordinance.
- I. Right of Entry and Inspection. The Township reserves the right to inspect all storage containers during each permitting period to ensure that such structures are compliant with all applicable ordinances and that public safety and other properties are not jeopardized by the condition or deterioration of said structures. It is the duty of the applicant and/or property owner to schedule and complete all necessary inspections. The scheduling of inspections must occur within ten (10) days of applying for the permit.
- J. Suspension or Revocation of Permit. Any permit issued under this Section may be suspended or revoked for any of the following reasons:
1. Fraud or misrepresentation in the application for the permit;

2. Fraud or misrepresentation in the use of the storage container; or
3. The permit holder fails to meet any requirement of this Section or violates any other federal, state, or local law, ordinance or regulation, or conducts activity in a manner that is adverse to the protection of the public health, safety, or welfare.

Upon suspension or revocation, the Township shall deliver written notice to the permit holder stating the action taken and the reasons supporting such action. The written notice shall be delivered or mailed to the permit holder's last known address.

SECTION 3. SEVERABILITY.

If any provision of this Ordinance is declared invalid for any reason, then that declaration does not affect the validity or all other sections of this Ordinance.

SECTION 4. REPEALER.

This Ordinance expressly repeals all township ordinances and parts of ordinances in conflict with this Ordinance to the extent necessary to give this Ordinance full force and effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance takes effect seven (7) days after publication of this Ordinance or a summary of it as permitted by law.

YEAS:

NAYS:

ABSENT:

ORDINANCE DECLARED ADOPTED ON _____, 2025.

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Julia Dejonghe Marshall, the duly elected Clerk of the Township of Macon certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Township of Macon on _____, 2025, and published in _____, a newspaper circulated in the Township of Macon on _____, 2025.

Julia Dejonghe Marshall
Township Clerk