

New York State Department of State
Division of Corporations, State Records and Uniform Commercial
Code

Local Law Filing

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(Use this Form for Filing your Local Law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Fenton

Local Law No. 3 of the year 2022

A local law to regulate storage containers in the residential areas of the Town of Fenton.

Be it enacted by the Town Board of the Town of Fenton as follows:

Section 1. The following new Chapter 119A is hereby added to the Town Code of the Town of Fenton:

Chapter 119A

§ 119A-1. Title

This chapter shall be referred to as Storage Container Law of the residential areas of the Town of Fenton.”

§ 119A-2. Purpose.

This Storage Container Law is established to promote and protect the public health, safety, and general welfare of the residents and the community character of the Town of Fenton.

§ 119A-3. Definitions.

Storage Container is defined to be a Cargo/Shipping Structure including those originally used in the shipping or transportation of freight, goods or materials by rail, truck or ship.

§ 119A-4. Uses.

- A. The Use of a storage container as defined above requires approval from the Town of Fenton and shall require a Building Permit to be issued pursuant to Town of Fenton Code, Chapter 150-42 (Building Permit).

- B. **Permanent Storage Containers:** Permanent storage containers, shall follow the directives contained in §150-17 Agricultural-Residential A District and §150-17.1 Agricultural-Residential B District.
 - 1. Permanent storage containers shall not be placed in a front or side yard, or any such area that will impact neighboring property views.
 - 2. The storage container shall be placed a minimum of 10' from the principal structure, and shall be painted or treated in a way to compliment the primary structure, as determined by the Building Inspector.
 - 3. No storage container shall exceed 10' wide by 20' long.
 - 4. A maximum of two storage containers are permitted per property owner.
 - 5. Storage containers shall not be placed in the floodway or "100-year floodplain."

- C. **Temporary Storage Containers:** The placement or use of storage containers, as temporary storage, shall be permitted in all residential zoning districts, for a period of 3 months, with one renewal at the discretion of the Building Inspector.
 - 1. Temporary storage containers shall be placed a minimum of 10' from all principal structures and do not restrict exit discharge or access to the public way, or restrict fire department access to the perimeter of the structure where storage containers are located.
 - 2. Temporary storage containers shall not occupy required off-street parking spaces, loading spaces or landscape areas.
 - 3. No storage container shall exceed 10' wide by 20' long.
 - 4. A maximum of two storage containers are permitted per property owner.

§ 119A-5. Permits.

- A. Permit applications for the placement of storage containers shall contain the following information:
 - 1. Name, address, email address and phone number of applicant.
 - 2. A site plan, drawn to scale, of the entire parcel showing all existing structures and the location of the proposed storage container giving the distances to all property lines and existing structures.
 - 3. A listing of the number of containers being requested for storage, along with the type and size of container(s).

4. An application fee of twenty-five dollars (\$25) per container.

§ 119A-6. Penalties for Offenses.

- A. Any owner or person violating any provisions of this Local Law, including failure to obtain a permit, shall be subject to the following fines and/or penalties:
 1. A fine of up to \$500.00, or imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment.
 2. Each day of violation will be deemed to constitute a separate offense and separate potential penalty.
 3. Fines levied will constitute civil forfeitures to the Town of Fenton.
 4. The provisions of this section shall be in addition to and shall not preclude the enforcement of this Local Law by application to the New York State Supreme Court for injunction or by any other lawful means.

Section 2. This local law shall become effective upon filing with the Secretary of State.

I hereby certify that the local law annexed hereto, designated as Local Law No. 3 (2022) of the Town of Fenton was duly passed by the Town Board on November 16, 2022 in accordance with the applicable provisions of law.

I further certify that I compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Dated: January 5, 2023

Melodie Bowersox, Town Clerk

[SEAL]