

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1221

Short Title: Nuisances/Portable Storage Units.

(Public)

Sponsors: Senator Cowell.

Referred to: Judiciary I (Civil).

March 26, 2007

A BILL TO BE ENTITLED

1 AN ACT RELATING TO THE ABATEMENT OF NUISANCES CAUSED BY
2 PORTABLE STORAGE UNITS AND REQUIRING THAT COUNTIES AND
3 MUNICIPALITIES ADOPT ORDINANCES REGULATING THOSE UNITS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** The General Assembly finds that the proliferation of
7 portable storage units in residential areas poses a public nuisance when those units are
8 in place for an excessive amount of time. Therefore, the General Assembly finds that
9 the regulation of portable storage units is in the best interests of the people of this State
10 in order to alleviate nuisances in residential areas.

11 **SECTION 1.(b)** Each unit of local government shall adopt ordinances
12 regulating portable storage units in residential areas, including the permitting of portable
13 storage units.

14 **SECTION 1.(c)** A temporary use permit shall be required before a portable
15 storage unit may be placed in a residential area.

16 **SECTION 1.(d)** The permit fee shall not exceed fifty dollars (\$50.00), and
17 there shall be no fee for an emergency use necessitated by structural damage, fire, flood,
18 disaster, or other emergency. There shall be a five hundred dollar (\$500.00) fine for
19 failure to obtain a permit prior to installation.

20 **SECTION 2.** No portable storage unit may be placed in a residential area for
21 more than 30 days except that permits may be renewed once in the case of an
22 emergency for an additional 30 days. Permits may not be renewed under nonemergency
23 conditions. No person may rent more than one portable storage unit nor have more than
24 one renewal in a 12-month period.

25 **SECTION 3.** Any person in the business of renting portable storage units
26 shall obtain a copy of the permit required by this act before renting out a unit. There
27 shall be a one thousand dollar (\$1,000) civil penalty for failure to obtain the permit
28 before making the rental.

1 **SECTION 4.** By October 1, 2007, persons in the business of renting portable
2 storage units must notify, in writing, all existing customers of requirements of this act
3 and must make arrangements with existing customers to remove the portable storage
4 units from their property, whether empty or with belongings being transferred to
5 warehouse storage. Prior to renting units to new customers, persons in the business of
6 renting portable storage units must also provide, in writing, clear, concise information in
7 lay terms explaining the requirements of this act.

8 **SECTION 5.** This act does not apply to active construction or renovation
9 sites that are having work done by a licensed builder or contractor or to commercial,
10 industrial, or institutional sites.

11 **SECTION 6.** Sections 4 and 6 of this act are effective when they become
12 law. The remainder of this act becomes effective January 1, 2008.