

**BILL NO:** \_\_\_\_\_

**ORDINANCE NO:** \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 46-3 TO INCLUDE A DEFINITION FOR SHIPPING CONTAINERS AND AMENDING SECTION 46-118 PERMITTING SHIPPING CONTAINERS IN B-1, B-3 AND M-1 ZONING DISTRICTS AND ADOPTING SECTION 46-154 SETTING FORTH SHIPPING CONTAINER REGULATIONS.**

**WHEREAS**, a public hearing was held on March 27, 2023, before the City of Moberly, Missouri, Planning and Zoning Commission to consider an application filed by Moberly City Staff proposing text amendments to Section 46-3 to include a definition for Shipping Containers and to Section 46-118 permitting Shipping Containers in B-1, B-3 and M-1 zoning districts and adopting Section 46-154 setting forth Shipping Containers regulations; and

**WHEREAS**, the Planning and Zoning Commission recommended approval of the proposed zoning changes; and

**WHEREAS**, the Moberly City Council hereby adopts the recommendations of the Planning and Zoning Commission and enacts amendments to the city Zoning Code as follows.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBERLY, MISSOURI TO WIT:**

**SECTION ONE:** Section 46-3. Definitions is hereby amended as follows:

*Shipping Containers* also known as Conex, Sea-Land, Sea-Train, and Intermodal Containers shall be identified as shipping containers. Any prefabricated metal structure originally designed for the storage and shipping of freight or intermodal transport.

**SECTION TWO:** Article III, Section 46-118. Use Table. *Manufacturing, industrial & Extractive* is amended as follows:

Shipping Containers	Permitted	<b>B-1, B-3, M-1</b>
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**SECTION THREE:** Article III, Section 46-154 is hereby adopted as follows:

**Sec. 46-154. Shipping Containers.**

All shipping containers shall meet the following minimum condition requirements and shall be inspected by the Moberly Code Enforcement Office and certified as meeting these requirements within 30 days of placement. Failure of the container to meet this certification will result in enforcement in accordance with the procedures established in Chapter 26 of the city Code of Ordinances as a nuisance.

(1) No container shall bear any sign, label, logo or other advertising or identification without such being approved and permitted in accordance with the Moberly sign code.

(2) All containers shall be painted or otherwise decorated in a manner and form consistent with the architectural character of the adjoining building faces and surrounding neighborhood.

(3) All containers shall be securable and always kept secure.

(4) All containers shall be kept structurally sound, free of graffiti, posters, bills, accumulated solid waste, or other blighting or deteriorating impacts.

(5) Temporary storage containers (Conex) for the use as construction related storage shall be allowed in conjunction with a building permit approved on the same parcel of land.

(6) Shipping containers shall be prohibited as storage buildings in all residential neighborhoods unless approved as a construction related project in accordance with the International Building Codes and approved and permitted through the Office of Building Inspectors in Moberly (example: such as a tiny home).

**SECTION FOUR:** This Ordinance shall take effect immediately upon passage by the Moberly City Council.

**PASSED AND ADOPTED** by the Council of the City of Moberly, Missouri, this 17th day of April, 2023.

**ATTEST:**

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Presiding Officer at Meeting

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Shannon Hance, MRCC, City Clerk