
**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 23 - 16

AN ORDINANCE REGULATING PORTABLE STORAGE CONTAINERS

Passed by the Board of Trustees, September 14, 2023

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By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

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I hereby certify that this document was
properly published in pamphlet form
by authority of the Board of Trustees
on the date stated above.


Village Clerk

**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 23-16

AN ORDINANCE REGULATING PORTABLE STORAGE CONTAINERS

WHEREAS, the Village of Harwood Heights (the “Village”) is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution;

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs;

WHEREAS, the Village has seen a proliferation of dumpsters and portable storage containers, including but not limited to, cargo containers, being used throughout the Village; and

WHEREAS, extended-duration use of dumpsters and portable storage containers is aesthetically displeasing and presents a nuisance for neighboring property owners and residents;

WHEREAS, portable storage containers are not currently regulated by the Village; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the Village to regulate portable outdoor storage containers within the Village of Harwood Heights, to avoid the stacking and accumulation and unregulated use of such containers throughout the Village, and to modify regulations governing temporary dumpster usage within the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, in the exercise of the Village’s home

rule powers, that the Village Code be amended as follows, with all existing provisions of the Village Code not set forth below continuing in full effect as currently written:

SECTION 1. That the recitals set forth above be and the same are hereby incorporated as though set forth fully in this Section 1.

SECTION 2. That the Village of Harwood Heights Municipal Code be and the same is hereby amended as follows (deletions shown by ~~strikeouts~~ and additions **underlined**):

8.16.175 Roll-off boxes and dumpsters.

- A. Definition. A roll-off box is a large receptacle in which to collect large quantities of debris. Also known as a bulk container or dumpster. (See Section 15.24.030.)
- B. Location of roll-off box. A roll-off box shall be placed next to the curb in front of the address where work is to be performed. A roll-off box may also be placed in a driveway, so long as it does not block sidewalks or create a safety hazard.
- C. Roll-off boxes must:
 - 1. Be limited to hold not more than thirty (30) yards of material;
 - 2. Have reflectors on all four corners in the sight line of drivers;
 - 3. Have scavenger's name, address, and a twenty-four (24) hour phone number clearly marked and prominently displayed in reflective letters and numbers;
 - 4. Have lighted barricades in front and in rear of the box, on the sides that face traffic; and
 - 5. Have permit attached to the side, protected from the elements.
- D. The maximum time that a roll-off box may remain on the street is seven days. No additional charge is required for replacement of roll-off boxes within said initial seven-day period, as permits are transferable during this period of time. **The maximum time that a roll-off box may remain in a driveway is ten (10) days. No additional charge is required for replacement of roll-off boxes within said initial ten-day period, as permits are transferable during this period of time.** For additional time, the building department must be notified and extensions may be granted upon inspection.
- E. Any scavenger service providing a roll-off box in Harwood Heights must have a Village license at the cost of one hundred dollars (\$100.00) per year, and must provide a one million dollar (\$1,000,000.00) insurance policy naming the Village of Harwood Heights as additional insured.
- F. A permit is required for the use of roll-off boxes per property. If roll-off box is going to be delivered over a sidewalk, a one thousand dollar (\$1,000.00) bond shall be required, along with any applicable permit fee. **The permit fee shall be \$100 for the initial period and \$250 for each extension thereof, which extensions shall be for the same duration as the initial permitting period.**

- G. Penalty. Any person convicted of any violation of the provisions of this section shall be fined not less than ~~fifty~~ **one hundred** dollars (~~\$5100.00~~) and not more than seven hundred fifty dollars (\$750.00) for each offense.

SECTION 3. That the Village of Harwood Heights Municipal Code be and the same is hereby amended by adding a new Section 8.16.180 as follows:

8.16.180. PORTABLE STORAGE CONTAINERS

A. Portable storage container defined.

The term "portable storage container" shall mean any temporary, transportable, movable or portable container, which is delivered to and placed outdoors on private property for storage purposes. A portable storage container does not include any of the following:

- (1) A roll-off box, bulk container or dumpster as defined and regulated in Section 8.16.175.**
- (2) A temporary construction trailer subject to a temporary use permit issued under Section 17.56.030(D)(1).**

B. Permit required; offenses.

- (1) It shall be an offense for any occupant or owner of property to place, or cause to have placed on that occupant's or owner's property or any public right of way adjacent to or in front of such property, a portable storage container without having first obtained a portable storage container permit from the Village.**
- (2) It shall be an offense for any occupant or owner of property to fail to remove a portable storage container from their property upon the expiration of the time authorized under a portable storage container permit.**
- (3) It shall be an offense for any recipient of a portable storage container permit to violate any of the regulations concerning use of same, as set forth in this Section.**
- (4) It shall be an offense for a portable storage container permit holder to fail to remedy any damage done to public right-of-way, public property or public utilities, or to fail to reimburse the Village for any costs of remedying such damage incurred by the Village that exceeds the amount of the permit holder's security deposit.**

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- (5) It shall be an offense for any occupant or owner of property to submit any false or misleading information in an application for a portable storage container permit.**

C. Permit application; required contents; fee.

- (1) Application for a portable storage container permit shall be made to the Village on a form containing the following information:**
- (i) The name, address, telephone number and signature of the applicant.**
 - (ii) The name, address and telephone number of the property owner, if different than the applicant.**
 - (iii) The address of the property on which the portable storage containers will be located.**
 - (iv) The name, address and telephone number of the business that will deliver and remove the portable storage containers.**
 - (v) The dimensions of the portable storage containers that will be placed on the subject property.**
 - (vi) The date on which the portable storage containers will first be delivered to the subject property.**
 - (vii) The date on which the portable storage containers are anticipated to be removed from the subject property, which shall be no more than 30 days after the first date of delivery to the subject property.**
- (2) Applications for a portable storage container permit shall be accompanied by a non-refundable fee of \$100.00.**

D. Protection of public property.

- (1) Permittees shall not damage public property or the public right-of-way. Upon discovery of any damage, the Village shall notify the permittee and the property owner of the total cost to repair the damaged public property. The portable storage owner and property owner shall not be able to obtain future village permits until:**
- (i) The permittee or property owner repair or restore the damaged area to a condition acceptable to the Director of Engineering and Public Works; or**
 - (ii) The permittee or property owner pays for or reimburses the Village's restoration of the damaged area; or**
- (2) Failure to comply with the prompt repair to public property shall be a violation of this Code.**

E. Limitations of permit; expiration of permit.

- (1) A portable storage container permit shall expire 30 days after its date of issuance.**
- (2) No more than three portable storage container permits shall be issued for the same property in any rolling 12-month period.**

F. Maximum size and number; permitted use; other regulations.

- (1) No more than one portable storage container shall be located on a permit holder's property at any time.**
- (2) No portable storage container greater than 16 feet in length or 8 feet in width or 8 feet in height shall be allowed.**
- (3) Portable storage containers shall be utilized only for the storage, loading, and unloading of personal property belonging to the permit holder.**
- (4) No construction equipment, building materials, hazardous or flammable substances may be stored inside any portable storage container.**
- (5) Portable storage containers shall not be utilized for the purpose of storing materials, equipment or merchandise related to a home occupation, or otherwise used for commercial purposes.**
- (6) No portable storage container shall be located on public right-of-way or public property.**
- (7) Portable storage containers shall be located at least five feet from any lot line, the public right-of-way and any public sidewalk.**
- (8) On properties whose primary structure is identified as a single-family detached or two-family dwelling structure, on site mobile storage containers may be placed only upon a residential driveway or other hard surface approved by the Village.**
- (9) On properties whose primary structure is identified as anything other than a single-family detached, or two-family dwelling structure, on site mobile storage containers may be placed upon a parking lot constructed of a hard surface approved by the Village, provided that the placement of the on site mobile storage container does not impede the flow of traffic, occupy off street parking spaces, and the proposed locations are approved by the Village.**
- (10) publicly owned rights-of-way, sidewalks, or other locations not specifically identified approved by the Village.**
- (11) Units shall be maintained in a good state of repair, free from rust, peeling paint, and other forms of visible deterioration.**

G. Penalty. Any person violating any provision of this section shall be subject to a fine of at least one hundred dollars (\$100.00) and not more than seven hundred fifty dollars (\$750.00) per violation for each that a violation continue.

SECTION 4. RESOLUTION OF CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SAVING CLAUSE. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

VOTES

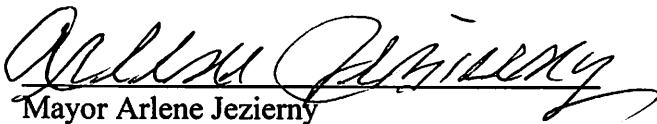
AYES: Trustee Brutto, Steiner, Zerillo, Lewandowski

NAYS:

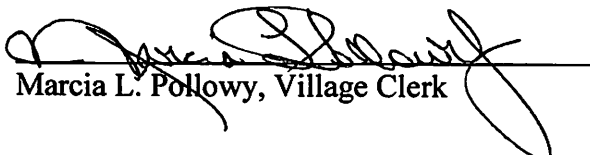
ABSENT: Trustee Brzezniak-Volpe, Brzozowski-Wegrecki

ABSTAIN:

Passed and Approved this 14th day of September, 2023.


Mayor Arlene Jezierny

ATTEST:


Marcia L. Polowy, Village Clerk

STATE OF ILLINOIS

COUNTY OF COOK

CERTIFICATION

I, Marcia L. Pollowy, do hereby certify that I am the duly elected and acting Clerk of the Village of Harwood Heights, County of Cook, State of Illinois.

I do further certify that the foregoing Ordinance 23-16 entitled:

AN ORDINANCE REGULATING PORTABLE STORAGE CONTAINERS

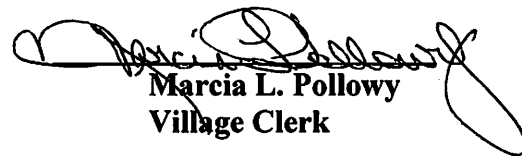
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 14th day of September, 2023.

I do further certify that the original of which the foregoing is a true copy is entrusted to my care and safekeeping, and that I am keeper of the same.

I do further certify that I am the keeper of the records, ordinances, and resolutions of said Village of Harwood Heights, Cook County, Illinois.

In witness whereof I have hereunto set my official hand and seal this 15th day of September, 2023.




Marcia L. Pollowy
Village Clerk

