

PREPARED BY:
CITY OF LEAD
801 W. MAIN ST.
LEAD, SD 57754
(605) 584-1401

ORDINANCE #1119-25
AN ORDINANCE MODIFYING
LEAD CITY ORDINANCES TITLE XV, LAND USAGE

BE IT ORDAINED by the City Commission of the City of Lead that, pursuant to SDCL 9-19, Lead Ordinance Title XV, Chapter 157, Portable Storage Containers be added to read as follows:

CHAPTER 157: PORTABLE STORAGE CONTAINERS

Section

- [157.01](#) Purpose and Intent.
- [157.02](#) Definitions.
- [157.03](#) Permitted Temporary Placement of PSCs.
- [157.04](#) Permitted Permanent Placement of PSCs.
- [157.05](#) Exemptions from this Chapter.
- [157.99](#) Penalty

§ 157.01 PURPOSE AND INTENT.

The unregulated use, maintenance, and placement of portable storage containers (PSC's) within the city can create potentially unsightly and incompatible conditions. The following regulations are established to control the use of PSC's that allow flexibility in their use, with reasonable limits according to zoning.

§ 157.02 DEFINITIONS.

For this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

(A) *PSC*. (Portable Storage Containers) Standardized prefabricated metal structures originally designed for, or used in, the packing, storage, shipping, movement or transportation of cargo, freight, goods, equipment, or commodities. The *PSC* is fully enclosed with a floor, walls, ceiling, and a sealed door to withstand harsh environmental conditions and is transported from place to place by being loaded on a flatbed trailer.

§ 157.03 PERMITTED TEMPORARY PLACEMENT OF PCSs.

- (A) PSCs are permitted on private property **for temporary placement only** when a city-issued building permit is in effect for that same property.
- (B) PSCs **to be located on public rights-of-way for temporary placement during construction projects on private property** are permitted with the approval of the Public Works Director, Public Safety Director, or Building Inspector.
- (C) **PSC's for city construction projects for temporary placement on city property are permitted by the Public Works Director.**
- (D) If not in relation to a construction site, a maximum of one PSC is allowed with a parking variance issued by the Chief of Police that allows it to be located within a public right-of-way, city parking lot or city street. This would be for a period of up to 5 days. The Chief of Police may extend this period ~~to a maximum of 10 days~~ **by request.**

§ 157.04 PERMITTED PERMANENT PLACEMENT OF PSC'S.

- (A) A PSC shall be permitted to be permanently placed in industrial zoned areas.
- (B) A PSC shall be permitted to be permanently placed in commercially zoned areas outside of the historic district.
- (C) PSCs shall comply with the regulations of the applicable zoning district and shall not unreasonably create an impact on parking spaces or parking lot driveways.
- (D) A PSC shall comply with all building setback requirements. For lots having two or more street frontages, both frontages must comply with this requirement.
- (E) No PSC shall be located within ten feet of any other structure or group of structures not within the same lot or be located within five feet of a public street or any property. A variance must be granted for the purpose of encroachment of property lines and/or setbacks.
- (F) A maximum of two PSCs are allowed to be stacked vertically.
- (G) The PSC shall always be maintained from all types of visible deterioration such as rusting, peeling paint, graffiti, and any other visible surface deterioration. The owner of the portable storage container shall be responsible for its maintenance.

§ 157.05 EXEMPTIONS FROM THIS CHAPTER.

The following are exempt from the regulations of this section:

- (A) Businesses that offer PSCs for sale or rent to the public and the PSCs are stored from time to time at the business owner's Commercial or Industrial zoned property. The requirements for setbacks, and placement locations shall apply.
- (B) PSCs that are used in connection with an emergency as declared by public safety officials.

§ 157.99 PENALTY.

Any person violating any provisions of this chapter shall be subject to a penalty of \$100 per day for every day of the violation.

Those voting aye:

Those voting nay:

Motion carried.

Dated this 17th day of March 2025

ATTEST:

Ron Everett
City of Lead, Mayor
(Seal)

Robin Lucero
City of Lead, Interim Administrator

First Reading: 3/3/2025
Second Reading: 3/17/2025
Published: _____
Enacted: _____