CITY OF MARSHALL
ORDINANCE 26-012

AN ORDINANCE AMENDING CHAPTER 86, ARTICLE VI, DIVISION 4, SECTION 248 OUTSIDE STORAGE

The Common Council of the City of Marshall do ordain:

SECTION 1: **AMENDMENT** "Section 86-248 Outside Storage" of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 86-248 Outside Storage

(a) In all classes of residential districts, open storage and accumulation of materials and equipment shall be prohibited. In all other zoning districts, open storage of materials and equipment shall be prohibited in the required front, side, and rear yards, except storage shall be allowed in the required rear yard in industrial districts. Unless prohibited elsewhere in the ordinance, any other outside storage, including outdoor storage tanks, shall be located or screened so as not to be visible from public right-of-way, public parks or any lot within 500 feet in any of the classes of business or residence districts, except in industrial and agricultural zoning districts screening from public right-of-way is not required. The screening may be achieved by fencing or landscaping means compliant with section 86-247. In all classes of business districts, the storage area shall be paved or graveled to control erosion and shall be properly maintained. Temporary storage of building materials intended for construction use on premises shall be allowed during ongoing construction and up to two weeks prior to construction and is exempt from the above requirements provided a valid building permit is obtained.

(b) Outdoor display of retail merchandise intended for sale or rent and open to public shall be allowed in all classes of business and industrial districts. In all classes of business districts, the display area, except live plants sales area, shall be paved to control dust and erosion and facilitate accessibility and general access to, and moving of, displayed products. Outdoor display areas adjacent to any of the classes of residence districts shall be screened by fencing or landscaping means compliant with section 86-247. Outdoor display area shall be adequately lighted.

    (1) Small off-road vehicles, golf carts, small farm and lawn care equipment , including subcompact tractors, and pre-built sheds may be displayed in the landscaped area, provided they are all located within seven feet of a paved surface contiguous with the required parking, and all site landscaping requirements are met. Display areas with five or fewer displayed units shall be exempted from this requirement. All display areas shall be regularly

maintained in a neat and safe manner.

(2) Except licensed automobile, motorcycle, off-road vehicle, recreational vehicles, as defined in Section 74-131, and boat sales lots, and golf carts and new small, motorized lawn care equipment sales, the display area shall not be located in the required front and side yards.

(c) In all classes of residential districts and residential properties within other zoning districts, outdoor display and sale shall be allowed during garage and yard sales only. The display and sales area shall be located entirely within the pertinent residential property.

(1) Any related signage shall be limited to premises and to other private properties provided permission from the property owners is obtained; all signage shall be erected not earlier than one-day before sale and shall be removed at the termination of the sale. Such signs shall be limited to three square feet each.

(2) There shall be no more than four garage sales conducted during any period of 12 calendar months; there shall be no more than two garage sales conducted during any period of 30 calendar days; there shall be no garage sales conducted for more than four consecutive days; and there shall be no garage sales conducted before 7:00 a.m. or after 8:00 p.m.

(d) Building enlargement and expansions over 50 percent of existing building footprint area, construction of additional buildings on site, or changes of use resulting in new exterior storage or display area shall cause an exterior storage/display area review by city staff for ordinance compliance.

(e) Trash, garbage, refuse, recycling materials or any other items intended for disposal shall be stored in designated containers or dumpsters which, with the exception of R-1 and R-2 residence districts, shall be located within areas set for collection of garbage as prescribed by section 50-23. In R-1 and R-2 residence districts trash cans shall not be stored in the required front yard except on the day of garbage collection. In R-1 and R-2 residence districts furniture and other bulky items may be left at the curb for pick up by the licensed garbage hauler or anywhere in the front yard for anyone to take for no more than 48 hours. In all classes of business and industrial districts, similar items intended for disposal may be piled together for temporary storage no longer than six months within garbage collection areas in a single stack not higher than five feet and with area no more than 100 square feet.

(1) In all classes of multiple-family and business districts, garbage collection areas shall be paved and fully enclosed with secured access and shall not be located in the required front yard. The enclosure shall be between five and six feet high and fully opaque. If it is located next to the building, it shall be finished with materials matching the exterior of the building. Enclosure requirement does not apply in the Downtown district.

(2) Temporary construction dumpsters intended for demolition and other construction debris may be located outside of such enclosures during ongoing construction and up to one week before and after construction provided a valid building permit is obtained. No temporary construction dumpster shall be set on public right-of-way or public parking lot unless a city permit is secured.

(f) Storage units are not allowed as permanent storage in all classes of residential or

business districts. Storage units include motor vehicle trailers, including semi-trailers, designed to carry cargo; cargo or shipping containers constructed out of prefabricated metal and designed for overseas shipping or mounting on rail cars or truck trailers; or steel framed, weatherproof moving containers, commonly known as PODS. Utilization of a single unit is allowed for temporary storage for no more than 30 days in a calendar year; in Business districts, the 30 days limit may be extended for longer by an interim use permit, provided such unit is painted to match the building with no signage, lettering, or advertising of any sort and is not placed in the front yard or required side or rear yards. The above listed units used for temporary construction related storage shall be allowed during an ongoing construction project and up to a month prior to construction, provided a valid building permit is obtained. As an exception, storage units totaling less than 1,000 square feet or ten percent of the main building area, whichever is less, may be permitted by an interim use permit in a B-3 general business district, with the following conditions:

(1) The containers shall not be placed in any front or required side or rear yard.
(2) The containers shall be located so as not to be visible from the public right-of-way, public parks, or any lot in any of the classes of business or residence districts within 500 feet of the containers. It may be screened by fencing or landscaping means compliant with section 86-247. If a fence taller than otherwise permitted by the Ordinance is required for screening by an interim use permit condition, a variance for such fence construction shall not be required.
(3) The containers shall be new or freshly painted with neutral colors with no painted signage, lettering, or advertising and shall be properly maintained.
(4) The interim use permit shall expire when the property changes ownership or earlier as approved by the council.

(g) In all classes of residential districts, a licensed boat, open or closed trailer, camper, motor-home, recreational vehicle or other motorized vehicle, but no more than three units, may be stored outside on the property as regulated in section 74-131. One snowmobile, ATV, golf cart, riding mower, trailer, boat, or camper can be displayed for sale in the front yard, provided it has not been purchased or consigned for resale and is not displayed for longer than seven consecutive days or longer than 30 days in a calendar year. No storage or accumulation of any materials in trailers is permitted.

(1) No unit listed above shall be placed on a lot where there is no principal use building except in a case when such lot is adjacent to the lot where a permitted use main building is located, in which case the city ordinance shall be applied as if the two adjacent lots are combined into one.

(Code 1976, § 11.19(3)(A)(2); Ord. No. 687, § 1, 6-10-2014; Ord. No. 749 2nd series, § 1, 6-23-2020; Ord. No. 21-002, § 1, 4-27-2021)

Editor's note(s)—Ord. No. 687, § 1, adopted June 10, 2014, amended the title of § 86-248 to read as set out herein. Previously § 86-248 was titled storage of materials.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall take effect after its passage and publication.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL September 8, 2026.

Presiding Officer

Robert Byrnes, Mayor, City of Marshall

Attest

Steven Anderson, City Clerk, City of Marshall